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TOWN OF NEEDHAM



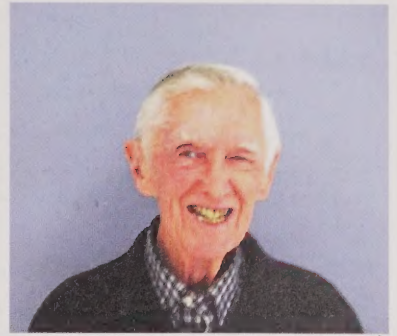
ANNUAL REPORT
1711—2009

NEEDHAM, MASSACHUSETTS

Cover Photo:

*"A View from the Top", shot from a bucket truck in front of Needham Town Hall by
Brian Smith Photography, February 2010.*

This 2009 Annual Town Report is Dedicated to William M. Powers



William M. Powers (Bill) was born in Newton, Massachusetts. After graduating from high school in 1942, he enlisted in the Army Reserve Program. A few weeks after starting Boston University, he received notification to report to Fort Wheeler, Georgia, for basic training. After that phase, he was selected for the Army Specialized Training Program, and sent to Vanderbilt University. When that program was discontinued, with others he was assigned to the 106th infantry division. After maneuvers, that division was shipped to Belgium...replacing the 24th division on the front lines. It was there that the 106th division made history in what came to be known as the Battle of the Bulge. After three plus years in the service, he received his honorable discharge in February 1946; and like many other G.I.'s he took advantage of the G.I. Bill of Rights, and returned to Boston University where he did both his undergraduate and graduate work. He became president of his class, and in his senior year was elected captain of the varsity tennis team. (Powers' proficiency as a New England tennis player was first displayed when he won the Massachusetts Interscholastic Championship. To this day he continues to play, and has been ranked in several different age categories.)

In 1950 he was married Sally Backman and with their children the family moved to Needham in 1960. Their three sons (Bill, Ted, and Ben) graduated from Needham High School. Mr. Powers speaks fondly of his sons, daughters-in-law, and two grandchildren, Jesse and Nicholas.

Bill served as the Assistant Superintendent of Schools from 1957 to 1960; and as Superintendent of Schools from 1960 to 1979. He chose to retire to pursue other interests.

Public service and civic involvement have been a lifelong commitment for the Powers family. Mr. Powers has been and is a faithful member of many local, state, and national organizations. Still active in the sport of tennis, he also enjoys writing. Among his work is a book titled You Can't Sew Pillows under Them, a recently published booklet of verse and essays (An Old Duffers' Verse and Tales), and various newsletters. He is currently working on two memoirs.

In Needham, Bill was a Town Meeting Member for forty-five years; a member of the Finance Committee, chair for one (1983-86); an elected member of the Board of Selectmen (1996-2003). As might be expected, his memberships are numerous- ranging from the Needham League of Women Voters to Veteran's organizations. He was a co-founder of the Melick Foundation. Sandwiched into a fascinating record is the fact that he was also elected to the Newton Board of Aldermen when he lived in Newton; and while Needham Superintendent he was appointed by the Commissioner of Education to Chair the Massachusetts Executive Committee for Educational television.

When asked if he would like to include a quote, he quickly said **yes**. *I am honored by this dedication, and at the same time humbled. Needham is an amazing Town because of the many able people, young and old, who volunteer their time and talents to make this community and our nation better for all people. In addition I would add that our community has been blessed by many extremely competent public employees whose ability and dedication have helped made Needham what it is. They deserve our continuing recognition and praise.*

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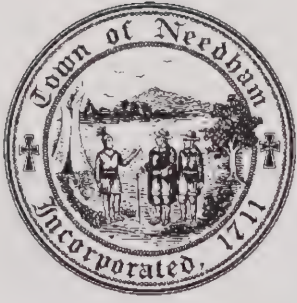
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A Message from the Board of Selectmen

The Annual Town Report is a document that is issued each spring containing information from the fiscal year that ended the previous June. First and foremost, the report is intended to provide citizens with an accounting of the appropriations and expenditures of the previous fiscal year. The report also contains descriptions of the operations and accomplishments of the various Town departments, boards, and committees, and those regional organizations that have an impact on the operations of the Town in fiscal year 2009.

The Town produces several other documents that will provide residents and property owners with information on Town operations. The Town Manager's Fiscal Year 2011 proposed budget can be obtained from the Office of the Town Manager or at the Town's website at www.needhamma.gov. The budget document contains an analysis of the Town's current financial condition and trends affecting municipal finance. Also included in the proposed budget are goals and objectives of the various departments, boards and committees for the coming year. A companion document to the Proposed Budget is the 2011-2015 Capital Improvement Plan, a summary of which is included in the Proposed Budget for easy reference. The CIP contains valuable information about the capital projects that have been funded in the past four years and those proposed for fiscal year 2011 through 2015. The document also includes a comprehensive list of the Town's outstanding and proposed debt financing obligations. The entire 2011 – 2015 Capital Improvement Plan is also available on the Town's website. The warrant for the 2010 Annual Town Meeting is also available online. It provides interested residents with the items that will be debated at the Town Meeting. The warrant includes the Annual Report of the Finance Committee, as well as the Finance Committee's proposed budget for fiscal year 2011. The warrant also includes a listing of all funded positions in Town service, and a summary table of the Town's current debt obligations.

The Board of Selectmen and Town Manager wish to thank the Town staff and the many citizens, volunteers, committee members and others, whose invaluable contribution of time, energy and talent makes it possible for Needham to maintain a well-managed, civic-minded community. At the end of this Annual Report you will find a list of the many individuals who have served the Town this past year. Residents wishing to volunteer for any board or committee appointed by the Selectmen should send a letter of interest to the Selectmen's Office at Town Hall or visit www.needhamma.gov/committeevacancy.

~ Community Profile ~

The Town of Needham is located on rocky uplands within a loop of the Charles River in Eastern Massachusetts. The town is bordered by Wellesley on the west and northwest, Newton on the north and northeast, the West Roxbury section of Boston on the east, Dedham on the southeast and south, and Westwood and Dover on the south. Needham is ten miles southwest of Boston, twenty-nine miles east of Worcester, and about 208 miles from New York City. The town has a total area of 12.70 square miles and a total land area of 12.61 square miles.



Figure 1: Needham, Massachusetts

Needham is situated in the greater Boston area, which has excellent rail, air, and highway facilities. Principal highways are State Routes 128 (the inner belt around Boston) and 135, and Interstate Route 95, which shares the same roadway as State Route 128. Commuter rail service is available via four stations to Back Bay Station and South Station in Boston. Needham is a member of the Massachusetts Bay Transportation Authority (MBTA), which provides fixed bus route service between Needham Junction and Watertown Square.

Needham was incorporated in 1711 and has experienced numerous changes over its history. Early settlers relied primarily on agriculture and grazing plus some winter lumbering with orchards and tanneries as supplements in the 1700s. Saw and gristmills were opened along the Charles through the 18th century. Extension of the rail and land speculation encouraged settlement, and the town saw the growth of industrial employment and production at the same time during the mid-19th century. Needham manufacturers made knit goods, underwear, hats, shoes and silk, although attempts to cultivate silk worms were short-lived.

Land speculation, housing development and knitted underwear continued to be the foundation of Needham's economy into the 20th century, with the famous William Carter Corporation prominent in the children's knitwear industry. The construction of Route 128 in 1931 opened portions of the town to development as part of the high-tech highway in the post-World War II electronic industrial boom. The creation of one of the nation's first industrial parks in 1950, the later addition of high technology firms, the improvement of access to Route 128 and Boston, and Needham's fine schools and public services have contributed to the Town's emergence as one of the more desirable suburbs of Boston.

While Needham has developed over the years, population figures have remained relatively stable since the 1970s, ranging from 29,748 in 1970 to 27,901 in 1980 to 27,557 in 1990 to 28,911 in 2000 (source: U.S. Census).

◀ GENERAL GOVERNMENT ▶

BOARD OF REGISTRARS / TOWN CLERK



*Theodora K. Eaton, MMC, Town Clerk
Helen F. Atkinson, Assistant Town Clerk
Sharon L. Tedesco, Department Assistant
Niki L. Rumbos, Department Assistant
Joyce M. Carlezon, Part Time
Louise E. MacLean, Part Time*

PURPOSE

Historically, the position of Town Clerk dates back to biblical times when clerks were often considered scribes or scholars. Their writings became the official records of the period. Today the Town Clerk continues as the official record keeper for the town and records all official business conducted at Town Meetings and elections and provides a wide variety of services to the general public as well as local, state and federal governments. The major functions of the Town Clerk's Office are spelled out in over 73 chapters and 400 sections of the Massachusetts General Laws as well as local Town By-Laws. Other responsibilities include records management, registration and certification of vital statistics, voter registration, licensing, compilation of the Annual Census and the Street/Voting Lists, Board of Appeals and Planning Board decisions, and the most complex - those relating to elections and Town Meeting.

The Town Clerk's Office is often considered the core of local government serving as the central information point for local residents. The Town Clerk's Office also serves as a Passport Agency for the U. S. Department of State and Commissioners to Qualify Oath of Office for the Commissions Division of the Office of the Secretary of The Commonwealth.

The number of Town Meetings and elections fluctuates from one fiscal year to the next ranging from one Town Meeting and one Election to four Town Meetings and three Elections (not including any specials called by the Commonwealth of Massachusetts or the Board of Selectmen). The Annual Town Election is held on the second Tuesday in April and the Annual Town Meeting begins on the first Monday in May according to Needham's Town Charter. During Fiscal Year 2009, the following elections and Town Meetings were held – a somewhat similar period in the Town Clerk's Office compared with the events in Fiscal Year 2008:

Fiscal Year 2009

- ✚ State Primary – Tuesday,
September 16, 2008
- ✚ Special Town Meeting – Monday,
October 27, 2008
- ✚ State Election – Tuesday,
November 4, 2008
- ✚ Annual Town Election – Tuesday,
April 14, 2009
- ✚ Annual Town Meeting – Monday,
May 4, 2009
- ✚ Special Town Meeting – Monday,
May 11, 2009

Fiscal Year 2008

- ✚ Special Town Meeting – Wednesday,
Nov. 5, 2007
- ✚ Presidential Primary – Tuesday,
February 5, 2008
- ✚ Special Town Meeting – Monday,
March 3, 2008
- ✚ Annual Town Election – Tuesday,
April 8, 2008
- ✚ Annual Town Meeting – Monday,
May 5, 2008
- ✚ Special Town Meeting – Monday,
May 12, 2008

The Special Town Meeting of October 27, 2008 disposed of 8 articles in one session; the Annual Town Meeting beginning May 4, 2009 disposed of 60 articles in five sessions; and the Special Town Meeting of May 11, 2009 held within the Annual Town Meeting disposed of 7 articles.

FY 2009 HIGHLIGHTS

The October 27, 2008 Special Town Meeting passed two Zoning By-Law amendments and the May 2009 Annual Town Meeting passed seven Zoning By-Law amendments and one General By-Law amendment which were subsequently approved by the Attorney General. The 2009 Annual Town Meeting under Article 28 approved the FY2010 Operating Budget in the amount of \$106,369,194. Total appropriations including the Operating Budget approved at the Annual Town Meeting totaled \$131,482,041. An additional \$14,207,500 was authorized for borrowing.

The State Primary consisted of four ballots – The Democratic ballot, the Republican ballot, the Green-Rainbow ballot, and the Working Families ballot. There were no votes for the Green-Rainbow Party and the Working Families Party. The total vote cast was 2,657 or 13.76% of Registered Voters. The State Election contained candidates for the Electors for President and Vice President with a total vote cast of 17,336 or 87.07% of Registered Voters. The Annual Town Election contained candidates for town offices and Town Meeting Members with a total vote of 4,595 or 22.50% of Registered Voters. There were no Proposition 2 ½ Override ballot questions on this year's ballot.

This year we have made a comparison of the following vital statistics compiled during the past six fiscal years.

VITAL STATISTICS

<u>FY 2009</u>		<u>FY2008</u>	<u>FY2007</u>	<u>FY2006</u>	<u>FY 2005</u>	<u>FY2004</u>
<u>Births to Residents:</u>						
7/1/08 - 12/31/08	161	164	156	139	165	194
1/1/09 - 6/30/09	<u>134</u>	<u>170</u>	<u>132</u>	<u>167</u>	<u>150</u>	<u>178</u>

Total Births:	295	334	288	306	315	372
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Deaths: Residents						
7/1/08- 12/31/08	106	98	154	110	107	149
1/1/09- 6/30/09	<u>124</u>	<u>64</u>	<u>127</u>	<u>134</u>	<u>165</u>	<u>115</u>
	230	162	281	244	272	264

Deaths: Non-Residents						
7/1/08- 12/31/08	114	164	118	117	119	100
1/1/09 - 6/30/09	<u>147</u>	<u>59</u>	<u>141</u>	<u>123</u>	<u>132</u>	<u>86</u>
	261	223	259	240	251	186

Total Deaths:	491	385	540	484	523	450
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Marriages:

7/1/08 - 12/31/08	57	61	55	58	80	78
1/1/09 - 6/30/09	<u>43</u>	<u>29</u>	<u>35</u>	<u>34</u>	<u>44</u>	<u>62</u>

Total Marriages:	100	90	90	92	124	140
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*Fish and Game Licenses Issued:***7/1/07 - 6/30/08**

	FY09	FY08	FY07	FY06	FY05
Class F1 - Resident Fishing	86	81	105	114	115
Class F2 - Resident Fishing Minor (Age 15-17)	5	5	6	7	3
Class F3 - Resident Fishing (Age 65 - 69)	15	14	8	12	10
Class F4 - Resident Fishing (70 or over) or Handicapped	32	25	33	33	27
Class F6 - Non-Resident Fishing	0	1	2	1	2
Class F7 - Non-Resident Fishing (3 Day)	0	0	2	0	0
Class F8 - Resident Fishing (3 Day)	1	2	4	0	0
Class F9 - Non-Resident Citizen Minor (Age 15 to 17)	0	0	0	0	0
Class F10 - Quabbin One Day Fishing (Quabbin only)	0	0	0	0	0
Class H1 - Resident Citizen Hunting	21	14	18	18	20
Class H2 - Resident Citizen Hunting (Age 65 - 69)	2	2	3	2	3
Class H3 - Resident Citizen Hunting, Paraplegic	2	1	1	1	1
Class H4 - Resident Alien Hunting	0	0	0	0	0
Class H5 - Non-Resident Hunting, Big Game	0	0	0	0	0
Class H6 - Non-Resident Hunting, Small Game	0	0	0	0	1
Class H7 - Non-Resident Commercial Sheeting Preserve/ 1 day	0	0	0	0	0
Class H8 - Resident Minor Hunting (Age 15-17)	0	0	1	2	0
Class H9 - Resident Commercial Shooting Preserve (1 day)	0	0	0	0	0
Class S1 - Resident Sporting	24	27	35	27	23
Class S2 - Resident Sporting (Age 65 - 69)	3	4	3	5	4
Class S3 - Resident Citizen Sporting (Age 70 or over)	22	20	20	25	24
Class T1 - Resident Trapping	0	0	0	0	1
Class T2 - Resident Trapping Minor	0	0	0	0	0
Class T3 - Resident Trapping, Age 65-69	0	0	0	0	0
Class DF- Duplicate Fishing	0	0	0	0	0
Class DH - Duplicate Hunting	0	0	0	0	0
Class DS - Duplicate Sporting	0	1	0	0	0
Class DT - Duplicate Trapping	0	0	0	0	0
Class M1 - Archery Stamp	16	23	21	15	14
Class M2 - Massachusetts Waterfowl Stamps	8	15	14	11	17
Class M3 - Primitive Firearms Stamp	20	19	20	11	13
Class W1 - Wildland Conservation Stamp, Resident	157	149	182	190	181
Class W2 - Wildland Conservation Stamp, Non-resident	0	1	4	0	1
TOTAL	414	404	487	474	460



Dog Licenses Issued:**7/1/08- 6/30/09****FY09 FY08 FY07 FY06 FY05 FY04**

Male and Female Dogs @ \$15.	150	179	193	150	169	156
Spayed and Neutered Dogs @ \$10.	2423	2299	2237	2149	2062	2000
Kennels @ \$ 25.	37	30	28	36	37	37
Kennels @ \$ 50.	7	6	6	5	7	7
Kennels @ \$100.	1	0	0	1	1	1
Hearing Dogs - No Charge	1	0	0	1	1	0
Seeing Eye Dogs - No Charge	3	0	0	1	1	2
Transfers @ \$1.00	13	6	8	4	11	5
Prior Years' Licenses	25	15	17	8	22	0
Replacement Licenses @ \$1.00	<u>24</u>	<u>8</u>	<u>2</u>	<u>12</u>	<u>13</u>	<u>15</u>

TOTAL	2684	2257	2510	2365	2224	2223
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FISCAL YEAR REVENUES PAID TO TOWN TREASURER

Fiscal Year	2009	2008	2007	2006	2005
Passports	4,350.00	\$7,805.00	\$8,130.00	\$6,900.00	\$6,210.00
General Fees	95,550.86	\$96,054.44	\$88,412.64	\$69,421.62	\$79,882.80
Liquor Licenses	58,130.00	\$69,580.00	\$61,755.00	\$48,005.00	\$40,105.00
Other Licenses	19,857.00	\$20,255.00	\$22,351.00	\$19,776.00	\$19,424.00
Dog Licenses	28,282.00	\$27,044.00	\$26,469.00	\$25,096.00	\$24,809.00
Fish & Game	241.10	\$235.95	\$290.00	\$293.40	\$279.95
	\$206,410.96	\$220,974.39	\$207,407.64	\$169,492.02	\$170,710.75
SOS, UCC	\$0.00	\$0.00	\$0.00	\$395.90	\$1,823.73
Reimbursements	\$0.00	\$0.00	\$0.00	\$893.37	\$596.97
	206,410.96	\$220,974.39	\$207,407.64	\$170,781.29	\$173,131.45
Fish & Game Pd to State	4,583.25	\$4,559.00	\$5,688.75	\$5,562.00	\$5,394.00
TOTAL	210,994.21	\$225,533.39	\$213,096.39	\$176,343.29	\$178,525.45

The Town Clerk's Office is oriented to serve the public and is open daily from 8:30 A.M. until 5:00 P.M. Monday through Friday and from 7:30 P.M. to 9:00 P.M. on the second and fourth Tuesday evenings except for July and August when the office is open from 7:30 P.M. to 9:00 P.M. on the third Tuesday evening. Special evening hours may apply for the month of December: 1st & 3rd Tuesday evening from 7:30 pm - 9:00 pm.

BOARD OF REGISTRARS

John W. Day, Chairman
Barbara B. Doyle

Mary J. McCarthy
Theodora K. Eaton

PURPOSE

The Board of Registrars consists of four members of which one member is the Town Clerk by virtue of the office. The remaining members are appointed by the Board of Selectmen for alternate three year terms. This Board can be compared to an Election Commission in a city and the Elections Division of the Office of the Secretary of the Commonwealth at the state level. The board must always contain, as nearly as possible, representatives of the two leading political parties - Democrats and Republicans - and no more than two members of each.

The Town Clerk and office staff carries out the functions of the Board of Registrars. These responsibilities include the conduct of elections and recounts, voter registration, compilation of the Annual List of Residents, publication and circulation of the voting and street lists, certification of signatures on nomination papers and petitions, and recording of Town Meeting attendance.

The polling places have been designated as follows:

Precinct A - Hillside School - Gymnasium
Precinct B - Hillside School - Gymnasium
Precinct C - Newman School - Gymnasium
Precinct D - Newman School - Gymnasium
Precinct E - Pollard Middle School - Room 226

Precinct F - Stephen Palmer Community Room
Precinct G - Broadmeadow School Performance Center
Precinct H - Broadmeadow School Performance Center
Precinct I - William Mitchell School - Gymnasium
Precinct J - William Mitchell School - Gymnasium

FY 2009 HIGHLIGHTS

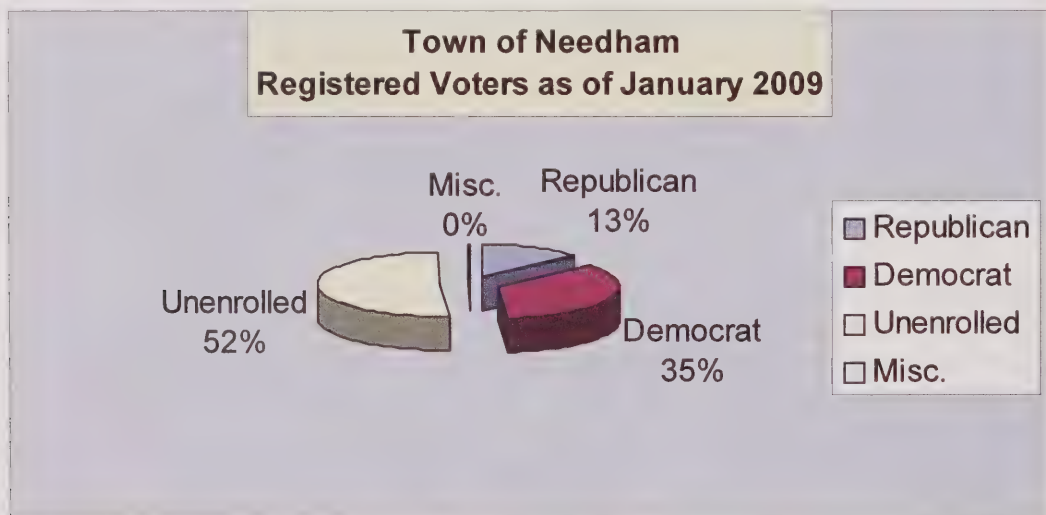
The Board of Registrars conducted three elections in Fiscal Year 2009 – the State Primary, Tuesday, September 16, 2008, the State Election, Tuesday, November 4, 2008, and the Annual Town Election, Tuesday, April 14, 2009. Voter turnout for the State Primary was 2,657 or 13.76% of the registered voters in Needham. Voter turnout for the State Election was 17,336 or 87.07%. With no Proposition 2 ½ ballot questions presented to the voters, voter turnout for the Annual Town Election was 4,595 or 22.50% - approximately one half the turnout of the Fiscal Year 2007 Annual Town Election.

April 14, 2009	Annual Town Election	4,595 (22.50%)
April 8, 2008	Annual Town Election	4,013 (20.965%)
April 10, 2007	Annual Town Election	8,132 (43.48%)
April 11, 2006	Annual Town Election	7,885 (43.05%)

The Annual Listing of Residents was conducted by mail again this year with an 81% turnout compared to the 80% turnout in Fiscal Year 2008. Once again, the Annual Census included a request for Veteran status. The dog license renewal application was included and has been well received by the dog owners. In accordance with Massachusetts General Laws the Annual Census is used to purge the Town's voting list, provide a listing for use by the Jury Commission, provide listings of school-age residents under the age of 21 for the School Department, and compile the list of dog owners. It is also used for public safety purposes as well as federal

funding. In order to accomplish this, we need our citizens to send in their census forms. Thus it is very important to get a full and accurate accounting. We'd like to see a greater percentage return in 2010.

Upon completion of the local listing, confirmation notices were sent to all those registered voters who were not reported as living in Needham on January 1st. Those voters who proved residence were reinstated; those voters who responded with notification of a residence outside of Needham were removed from the Voting List; and those voters who did not respond to the confirmation notice were placed on the inactive voting list. The inactive voter status remains until the conclusion of the second biennial state election at which time those inactive voters are permanently removed from the Town of Needham's voting list. Names were also removed because of death and other changes in voting status. Upon completion of the annual census, the total number of registered voters was 19,463 plus 934 inactive voters. 2009 population for the Town of Needham includes 29,973 residents plus 934 inactive voters for a total of 30,907. The registered voters were comprised of 6,860 Democrats, 2,627 Republicans, 9,942 Unenrolled, and 34 miscellaneous political designations. 934 inactive voters brought the total number of registered voters to 20,397.



ANNUAL TOWN CENSUS POPULATION

<i>ALL</i>	<i>VOTERS + INACTIVE VOTERS</i>	<i>RESIDENTS</i>	<i>* ALL</i>
1990	17,693	----	28,568
1991	18,284	----	28,470
1992	18,092	----	28,134
1993	18,504	----	28,074
1994	17,703	----	28,384
1995	18,212	----	28,740
1996	18,490	----	29,156
1997	19,306	----	29,340
1998	19,514	----	29,925
1999	18,237	1,159	28,630
			29,789

2000	18,271	1,358	28,860	30,218
2001	18,741	1,111	29,019	30,130
2002	18,555	1,372	29,237	30,609
2003	18,593	900	29,376	30,276
2004	18,437	1,474	29,107	30,581
2005	18,712	994	28,996	29,990
2006	18,396	1,209	29,078	30,288
2007	18,642	1,043	29,414	30,457
2008	18,903	1,370	29,452	30,822
2009	19,463	934	29,973	30,907

* Includes Inactive Voters beginning in fiscal year 1999

BOARD OF SELECTMEN/TOWN MANAGER

Daniel P. Matthews, Chairman

John A. Bulian, Vice Chairman

Denise Garlick, Clerk

Gerald A. Wasserman

Maurice P. Handel

Kate Fitzpatrick, Town Manager

Christopher Coleman, Assistant Town Manager/Operations

Elizabeth Dennis, Director of Human Resources

PURPOSE

The Board of Selectmen consists of five individuals elected for staggered three-year terms, and serves as one part of the Executive Branch of government for the Town, which it shares with other elected and appointed boards. The Board of Selectmen customarily meets on the second and fourth Tuesdays of the month, except in July and August, when meetings are generally held only once per month, and in April, when the Board's meetings are scheduled around the annual municipal election. Meetings begin at 6:45 p.m. at Town Hall. From 6:45 to 7:00 p.m., residents who wish to informally discuss matters with the Board may do so, with or without calling for an appointment in advance. Other meetings may be scheduled as needed and are posted at Town Hall. All meetings are open to the public.

The Board of Selectmen appoints a Town Manager, who, along with the Assistant Town Manager/Operations, is responsible for the administration of the day-to-day operation of the Town, including direct oversight of those departments under the jurisdiction of the Board of Selectmen. The Director of Human Resources provides personnel and benefit management assistance to all Town Departments, Boards and Committees. The Assistant Town Manager-/Operations, the Director of Human Resources, and the Assistant Town Manager/Finance serve with the Town Manager as the Town's senior management team, responsible for negotiations with, and contract administration for the Town's six general government collective bargaining groups.

The Board of Selectmen is considered the "chief elected official" of the community, and is responsible for:

- Establishing policies and procedures for the coordination of Town government operations.
- Representing the interests of Town residents in business dealings, legal affairs, and intergovernmental cooperation with other municipal, county, state, and federal agencies.
- Making appointments to those Town Boards and Committees under its jurisdiction.
- Convening the Annual Town Meeting in May and any Special Town Meetings that may be required, and preparing the Warrant (listing of Articles) for Town Meeting consideration.
- Licensing all food and liquor establishments and transportation companies.
- Appointing the Town Manager and Town Counsel.
- Approving appointments recommended by the Town Manager for the positions of Assistant Town Manager/Finance, Assistant Town Manager/Personnel, Fire Chief, Police Chief, and Director of Public Works.

The Town Manager is the chief executive officer of the Town, and is responsible for:

- Reviewing and recommending the reorganization, consolidation, or abolishment of departments.
- Rental and use of all Town property, except school property, and maintenance and repair of all Town buildings, including school buildings and grounds.
- Serving as purchasing agent for the Town, awarding all contracts for all departments and activities of the Town with the exception of the school department.
- Adopting rules and regulations establishing a personnel system, including a classification and compensation plan, in cooperation with the Personnel Board.
- Fixing the compensation of all Town employees except those under the jurisdiction of the school committee.
- Negotiating and administering all collective bargaining agreements with employee organizations representing Town employees other than employees of the school department, pertaining to wages and other terms and conditions of employment, and participating in the deliberations of the school committee in collective bargaining with employee organizations representing school department employees, as provided in M.G.L. c. 150E.
- Keeping full and complete records of the office of Town Manager and rendering as often as may be required by the Board of Selectmen a full report of all operations during the period reported on.
- Keeping the Board of Selectmen fully advised as to the needs of the Town, and recommending to the Board of Selectmen for adoption such measures requiring action by them or by the Town as may be deemed necessary or expedient.
- Implementing Town Meeting votes and reporting annually in writing to the Town Meeting on the status of prior Town Meeting votes on which implementation is not complete.
- Administering, either directly or through a designee all provisions of general and special laws applicable to the Town, and by-laws and votes of the Town, and all rules and regulations made by the Selectmen.
- Reporting to the Selectmen and the Finance Committee as to the financial condition

of the Town.

- Providing advice and assistance to boards and committees of the Town.
- Serving as chief fiscal officer of the town, preparing and recommending a Proposed Annual Operating Budget and Capital Improvement Plan.

FY 2009 HIGHLIGHTS

Selectmen Organization

In April 2009, John A. Bulian was re-elected to a three-year term on the Board of Selectmen, and Maurice P. Handel was elected to a three-year term on the Board of Selectmen. Following the annual town election, the Board re-organized with Daniel P. Matthews as Chairman, John A. Bulian as Vice Chairman, and Denise C. Garlick as Clerk of the Board.

Two signature community events were held in Needham in fiscal year 2009. First, in October, 2008, Needham hosted the Wall That Heals, a one-half scale replica of the Vietnam Memorial in Washington, D.C. The wall was available for viewing 24 hours per day at its Memorial Park location, where thousands of citizens volunteered and/or paid their respects.

In April, 2009 the Needham Common was the location of a Fox 25 “Zip Trip.” The Fox affiliate station broadcast from the Common on a bright spring Friday morning. Many residents were on-hand to view the festivities, and numerous local businesses and restaurants were highlighted.

Progress toward Board Goals for the Community

Capital Facilities & Infrastructure:

As in previous years, high on the list of priorities is the continuation of forward momentum in implementing the Facility Master Plan. During FY2009, this occurred on four separate and concurrent fronts. First, many Town departments responded to an HVAC/Indoor Air Quality concern at the Newman School. Temporary repairs to the ventilation system, as well as numerous other IAQ remediation efforts were completed during the summer of 2008, in time for the opening of the school (just a few days late) in September, 2008. At the same time, the PPBC began the coordination of a feasibility study for a long-term solution, and the Town submitted a statement of interest to the Massachusetts School Building Authority. The Town’s application was approved, and the MSBA agreed to partner with the Town on the rehabilitation of the Newman School.

Second, at the October 27, 2008 Special Town Meeting, the Town voted to authorize an appropriation for the construction of a new Public Services Administration Building, and construction was well-underway by the end of the fiscal year. The long-term use of the building will be for Public Works, Public Facilities, Building, Park and Recreation and Community Development Departments. However, the facility will be used on a temporary basis as “swing space” for Town Hall Departments during the renovation of that building.

Third, the Board of Selectmen evaluated the various options for renovation and addition of the Town Hall, and made a recommendation to the October 27, 2008 Special Town Meeting for the design of Alternative #4, so-called, which includes the restoration of the second floor auditorium

and an addition on the rear (North) side of the building. Construction funding was recommended by the Community Preservation Committee and approved by Town Meeting in May, 2009.

Finally, in September, 2008, the Board created a Senior Center Exploratory Committee to make recommendations to the Board as to the appropriate location, size and design, projected costs, and other matters related to the construction of a new senior center. During the balance of fiscal year 2009, the Committee began its evaluation, held several public hearings, and coordinated a Town-wide survey.

Finance

During fiscal year 2009, the financial focus was the development of a budget for fiscal year 2010. The fiscal year 2010 budget picture in Needham was not as bleak as would be expected for several reasons. First, the Town's revenue projections are historically conservative and tend not to fluctuate dramatically. The pro forma budget, released in August of each year, predicted the smallest gap between projected revenue and expenses in years for fiscal year 2010. Second, the town was anticipating a moderation in the growth in fixed costs, at least temporarily. Third, the voters of the Town approved an operating override to facilitate the opening of the High Rock School, without which the fiscal year 2010 budget plan would have involved very difficult choices. Finally, all departments were judicious in their spending requests, mindful of the global financial situation.

The Board sponsored a number of property tax relief measures in fiscal year 2009, including the establishment of the Needham Property Tax Assistance Fund, approved by the 2009 Annual Town Meeting. The purpose of the fund will be to endeavor to match the voluntary contributions to the Elderly and Disabled Property Tax Relief fund.

Fiscal year 2009 represented the fourth year in a row that no increase was required to the Town's water and sewer rates. Moreover, the Board of Selectmen offered rate credits on several occasions. The Board also codified an investment policy statement, spelling out guidelines used by the Town for its investments. The formalization of this policy is part of a longer-term effort to document the Town's financial policies. Finally, the town began the process of transitioning its group health insurance offerings from traditional HMO-style plans to higher out-of-pocket cost plans (with higher co-payments and deductibles) in an effort to move its group health plan toward a sustainable model.

Economic Development

After years of planning and evaluation, the Downtown Study Committee and Planning Board recommended a new regulatory framework for Needham Center, including the Chestnut Street Business District. The goal of the new zoning, which was approved by the May, 2009 Annual Town Meeting, is to encourage the development of housing, stimulate business activity, and improve traffic flow and parking, all within a smart-growth context. Also during fiscal year 2009, at the request of the Board of Selectmen, the Council of Economic Advisors began a comprehensive evaluation of the New England Business Center to make recommendations on aspects such as marketing and branding, regulatory changes, and infrastructure.

Open Space/Conservation/Recreation

Through a combination of Town and privately-raised funds, the “Fields of Dreams” renovation of Memorial Park and DeFazio Park became a reality. The project consisted of the installation of three synthetic turf multi-purpose fields, and the relocation of the track from Memorial to DeFazio, as well as the development or rehabilitation of numerous natural turf fields. May, 2009 marked the beginning of the first year of a new 20-year lease for the Needham Golf Club. Also this year, the Trails Master Plan was released, to be used as the basis for future planning and funding decisions.

COMMISSIONERS OF TRUST FUNDS

Heydon Traub, (appointed to serve August 2009 to April 2010)

Joseph P. Scalia, Vice Chairman (elected to serve April 2007 to April 2010)

Patricia Rose Falcao (elected to serve April 2008 to April 2011)

PURPOSE

Our mission as Commissioners of Trust Funds (COTF) is twofold: 1) prudent investment of Needham’s various Trust Funds, using a long-term horizon, and 2) prudent disbursement of Trust Funds in a manner consistent with the donor’s wishes. Our third goal is to increase the number of assets we oversee, and to prudently grow those assets.

In 2008, and again in 2009, Needham COTF formally updated our endowment investment policy for Trust Funds, specifying a percentage target range of asset allocation among various asset classes. This policy delineates our target asset allocation among various asset classes. Trust Funds are pooled for investment purposes, (yet accounted for separately), which allows for a reduction of management fees and a broadly diversified portfolio, including Fixed Income investments, and Domestic and International Equity securities. A new investment management firm was selected in January 2008.

The COTF currently have oversight of 82 trusts. About 50% of assets are Needham school related, with most of these trusts earmarked for scholarships, awarded annually to Needham High School graduating seniors. About a quarter of the assets in the overall Needham Trusts are for general use purposes of our town Library. The remaining 25% of trusts are for a wide variety of purposes, such as Parks and Recreation, the Council on Aging, Domestic Violence Prevention, the Community Revitalization Trust, Drug and Alcohol Abuse Prevention, and others.

Through contributions to existing trusts, establishment of new trusts, prudent financial management, and favorable markets, the Trusts have grown over the past six years from a total of \$2.2 million at the start of fiscal year 2002, to about \$3.9 million at the end of fiscal year 2009.

In complying with the various trust agreements we emulate a time honored practice used by Foundations and Endowments, to disburse about 4% of a Trust’s balance each year, irrespective of the earnings in the prior year. With the goal of realizing a return from our Trust’s diversified portfolio in the 6%-10% range per annum over a market cycle, we thus expect the value of the Trusts to grow slightly and preserve the inflation-adjusted value of the Trusts for future generations. This fiscally disciplined approach allows a more predictable annual stream of

disbursements, rather than relying on the rate of return in any one particular year, and has been well received by the beneficiaries of the Trusts.

Our third goal is to increase the visibility of the Town Trust Funds. Contributions to existing trusts are always welcome, and a new trust to benefit some aspect of town life can be established for as little as \$5000. The Trust Fund Commissioners continue to seek contributions and bequests from civic minded citizens with a desire to improve our community for present and future generations. We are eager to assist in the establishment of additional trusts, and will work with town residents, estate planners and attorneys to establish a Trust for any worthy civic purpose. A trust is a wonderful way to commemorate an individual, a special event, or to support a designated Town purpose.

We also believe that the Trust Funds investment strategy could be beneficial to other Needham organizations. For example, funds raised and held in low interest bank accounts, by private and non-profit town groups and organizations, with the approval of Town Meeting, could be moved to the Needham Trust Funds roster and thus take advantage of the lower management fees and investment diversification that the larger pool of assets allows. Please contact the Commissioners or the Town Treasurer's Office if you or your organization would like further information about the Town Trusts.

DEPARTMENT OF FINANCE

David Davison, Assistant Town Manager/Director of Finance

PURPOSE

The Department of Finance consists of the offices of Director of Finance, Accountant, Assessing, Collector and Treasurer, Information Technology Center, and Parking Clerk. The Department is responsible for the overall financial management of the Town, including advising and updating the Town Manager, Board of Selectmen, Finance Committee, and other interested parties on the Town's financial condition. The Department also provides and supports the system-wide applications and the Town's network. The Information Technology Center also supports and hosts a number of specific software applications for various functions of municipal government. Services provided, but not limited to, include preparation of the five-year Capital Improvement Plan, financial status reports, cash management, debt management, property valuation assessments, citizen assistance programs, property tax and utility billing, collection activities, risk management, audit review and internal financial controls. Additionally, the department oversees contract compliance, compliance with the uniform procurement act, supports all aspects of the Town's data processing and network operations, and hears appeals on and enforces the collection of parking fines.

The Department is responsible for complying with a myriad of municipal finance laws and regulations as well as meeting the financial reporting requirements of the federal and state governments. These financial controls are essential in order to properly safeguard taxpayer dollars. Much of the activity of the Department of Finance involves the day to day management of the Town's finances including the \$100 million general fund budget, \$14 million in special revenue, \$14 million in enterprise funds (water, wastewater and solid waste), as well as trust

funds. The Department also monitors and reviews the capital spending activity of all departments. The Department processes the payroll including all monthly, quarterly and annual reports for Town and School employees. On a weekly basis the Department processes hundreds of invoices for payment to vendors, for services and supplies, procured by Town departments.

FY 2009 HIGHLIGHTS

The Town's fund balance declined in FY 2009 as expected in part due to the weakening national economy and in part to the use of extraordinary funds received in a prior year for capital projects and transfer to appropriated reserves. Another contributing factor in the decline was the end of fiscal year cut of state aid (so-called Cherry Sheet aid) to communities by the Governor in order to address a large revenue shortfall at the State level. The reduction in state aid from that which was budgeted by the State for Needham was in excess of \$900,000. The Town's overall fund balance decreased by \$3-million, for the aforementioned reasons, but fund balance to general fund revenue ratio (12%) was comparable to the Town's fund ratios during previous economic slow downs in the late 1990's early 2000's.

The Town and the MSBA entered into a funding agreement for the High School project which allowed for monthly disbursements to the Town for the State's share of the project costs. The payments are issued to the Town as costs for the project are incurred. This funding process avoids the need to issue notes on the State's share of the project cost (less a holdback until a final audit of the project is done), reducing interest expense and avoiding the need to permanently finance the State's share. Through June 30, 2009 the Town received payments in the amount of \$28,071,018 for the High School Project. The close out audit and the final payment from the MSBA of approximately \$1.4 million is anticipated by the end of 2010.

The Town completed the renovation and expansion of the High Rock School which opened in September 2009. Funding was approved by the voters at the April 2007 Annual Town election. In 2007, the Town disclosed to voters prior to the vote on the debt exclusion question for the renovation and expansion of the High Rock School that an operating override for the opening of the High Rock School may be necessary. An operating override to fund the added costs associated with the opening of the High Rock School was presented to the voters on the November 2008 election ballot. The operating override for \$1,887,929 was approved by voters.

The Town Meeting has also funded two other major capital facilities which were identified to be funded prior to 2012 in the Facility Master Plan (FMP) that was authorized at the May 2005 Annual Town Meeting. In May 2008, Town Meeting approved a debt authorization for the design of a new facility to house the administrative offices of the public works and public facilities departments, as well as the functions relating to community development and the Park and Recreation administrative functions. The debt authorization for the construction of the Public Services Administration Building (PSAB) was approved in October 2008 in the amount of \$5,725,000. The project will be completed and the building will open in February 2010. At the 2008 Annual Town Meeting \$1,000,000 from the Town's Community Preservation Act receipts was appropriated for the design and engineering costs to preserve and update the Town's Town Hall. The construction funding for the Town Hall project in the amount of \$18,155,746 was approved at the May 2009 Annual Town Meeting. The funding included \$6,829,233 in CPA cash, \$26,513 in other available funds, and \$11,300,000 in bond authorizations supported by

CPA receipts and general fund receipts. All the departments in the building will be moved temporarily to the PSAB facility while the renovation of Town Hall is done. The scheduled re-opening of Town Hall is the fall of 2011.

The Town funded a feasibility study to investigate options to modernize the heating and ventilation (H&V) system at the Newman Elementary School and has settled on an approach that calls for abandonment of the entire H&V system and construction of a new system. Other system upgrades include code compliance, roof, electrical and information system infrastructure. Students will be moved to a temporary modular classroom structure that will be constructed in 2010/2011; some students would be moved to the Pollard Middle School during the time the Newman School is closed. The work on the Newman School building is scheduled for 2011/2012. The total estimated cost is \$27,412,128. The Town sought and has received approval for partial funding from MSBA, due to the nature and magnitude of the project. The balance of the project will be funded by bonds. A debt exclusion question will be presented to the voters at a special election.

The Town also took steps to further shore up reserves by appropriating another \$55,000 to its general stabilization fund. Management continues to promote the practice that the non-recurring portion of Free Cash (undesignated Fund Balance) be used for ongoing capital investment, temporary or extraordinary expenditures, and future reserves rather than for recurring operating expenses.

We have submitted as part of the Annual Town Report, the General Fund Balance Sheet for the fiscal year ending June 30, 2009, as well as the Statement of Net Assets for each of the three enterprise funds for the year ending June 30, 2009, the statements of Budget Appropriations and Expenditures for the General Fund, RTS Enterprise Fund, Sewer Enterprise Fund, and the Water Enterprise Fund for Fiscal Year 2009, and the Schedule of Trust Funds for Fiscal Year 2009. Also included in this Town Report is the Fiscal Year 2009 Tax Rate Recapitulation as approved by the Department of Revenue. All schedules will be found in the appendices.

Finally, if you have any questions or concerns, please do not hesitate to contact us. We wish to continue our commitment to improving customer service and seeking better ways to perform our responsibilities and duties.

Accounting Office

Michelle Vaillancourt, Town Accountant

Staff: vacant, Assistant Town Accountant, Therese Altieri, Accounts Payable; Jennifer Casey, Payroll; Cynthia Salamone, Administrative Specialist

Fiscal year 2009 marked yet another year of significant staff turnover and subsequent recruitment and retention continued to be a challenge. Susan Herman, Assistant Town Accountant, left employment with the Town for other opportunities. Susan had previously been the Executive Secretary to the Finance Committee, and then took the position of administrative specialist and subsequently was promoted to assistant town accountant. The Town also saw the departure of Connie Marsland, payroll clerk for the Town. However, Ms Marsland helped to train her successor even after leaving full time employment with the Town. In January 2009, the department welcomed Therese Altieri who serves as the accounts payable clerk, and in

March 2009 welcomed Cynthia Salamone, who serves in the split position of administrative specialist. This position is shared between the Treasurer's Office and the Accounting Office during the year.

Due to the vacancies and training of new staff a significant amount of work was left unattended and continued to grow. To rectify this, the department continued to rely on outside services to assist in maintaining current reporting of the Town's finances. This required both a reserve fund transfer by the Finance Committee and a budget line transfer by Town Meeting to meet the added expenses. Similar to last year, since the 2008 Town Report submission, the department has seen the departure of the assistant town accountant, an accounts payable clerk, and the payroll clerk. Demand for accounting experience, even during the recession, remains high, and therefore adds to the difficulty of hiring qualified people in the support positions.

Assessing Office

Hoyt B. Davis, Jr. Administrative Assessor

Staff: Chikako Park, Assistant Administrative Assessor; Sandra Evans, Department Specialist; Nancy Martin, Administrative Support; Stanley Winston, Data Collector

The assessing office is responsible for the administration of a wide range of state laws pertaining to *ad valorem* taxation. Valuation of all real estate and personal property, as well as the administration of the Massachusetts state motor vehicle excise tax, is done on an annual basis. Information related to all residential, commercial/industrial and personal property is maintained and updated on an ongoing basis. Upon the completion of the annual and special Town Meetings, and receipt of warrants from county and state funding sources, the financial information is processed in preparation for the setting of the tax rate by the Board of Selectmen and the Board of Assessors at the annual classification public hearing.

Parcel Types	2007	2008	2009
Single Family	8,337	8,341	8,334
Condominium	651	675	755
Two Family	303	293	281
Three Family	17	17	16
Four + Family	25	24	27
Vacant Land	175	173	187
Chapter Land	14	15	13
Mixed Use	23	26	24
Commercial	371	369	373
Industrial	48	47	45
Personal Property	961	1,113	1,181

Of the 11,097 Real Estate (Residential and Commercial) and Personal property accounts billed in FY 2009, the value of 80 of those properties, or .007% saw changes in their value through the abatement process vs. .005% in FY 2008. The average adjustment in tax dollars for FY 2009 was \$1,186 vs. \$4,325 in the previous year.

Collector and Treasurer Offices

Evelyn Poness, Town Treasurer and Tax Collector

Staff: Diane Ryan, Assistant Collector and Treasurer; Kristen Bent, Department Assistant; vacant, Department Assistant; Anita Mahaney, Department Specialist; James McMorro, Department Assistant; Karen Rogers, Department Specialist

The Treasurer's office receives and invests all revenue received by the Town. In maintaining these funds, safety, liquidity, and yield are the basis for all decision making. The safety of Town funds is of utmost importance. Sufficient balances must be maintained to assure the timely paying of all expenses. Balances in excess of expenses must be invested in a prudent manner in accordance with state statutes. Due to the instability in the open market even the most conservative investments had limited options. The department updated the investment policy to reflect the changes that have occurred. This policy was codified by a vote of the Board of Selectmen.

Fiscal year 2009 presented continuing challenges in the area of investment earnings. Interest rates fell to some of the lowest levels in recent history and the crisis throughout the banking industry made the monitoring of all areas of investment very crucial. During FY 2009, the Treasurer earned \$714,066 in interest income for the General Fund.

During fiscal year 2009 the Treasurer's office, through the generosity of Needham residents awarded \$15,750 in property tax relief to 36 Needham households.

The Treasurer issued \$12,442,000 in long term debt and \$35,855,000 in short term debt. Needham submits all financial data to Standard and Poor's (S & P) credit rating agency. Once again S & P returned a rating of AAA on all long term debt and a rating of SP-1+, the highest rating possible on short term debt. The total long term debt outstanding as of June 30, 2009 was \$73,768,354.

The Office of the Tax Collector ensures that all bills, i.e. real estate, personal property, excise, water and sewer are billed timely and in accordance with state statutes. The continued monitoring and pursuit of delinquent accounts is essential to maintaining a strong collection rate. The recession has not had a significant impact on collections. During FY 2009, approximately \$87 million in billed revenue flowed through the Office of the Collector. The collection rate for all receivables billed through the department remained high. The property tax collection rate remains very strong with more than 98% paid by the due date.

Real Estate Tax Collections	\$78.6 million
Personal Property Tax Collections	\$2.5 million
Delinquent and Deferred Tax Collections (including penalties and interest)	\$0.5 million
Motor Vehicle and other Excise	\$4.1 million
Ambulance Service Fee Collection	\$0.6 million
Parking Fees	\$0.1 million

	2007	2008	2009
Sewer and Water Bills Issued	46,842	46,004	46,139
Real & Personal Property Tax Bills Issued	43,790	43,999	43,854
Motor Vehicle Excise Bills Issued	27,880	28,184	27,533
RTS Sticker Applications Processed	9,737	9,193	8,976

Information Technology Center

Roger MacDonald, Director of Management Information Systems

Staff: Benjamin Anderson, GIS/Database Administrator; Steve Freeman, Computer Operator; Matthew Tocchio, Network Manager; Lawrence Weaver, Financial System Application Manager

During FY 2009 the Department finished the structural and operational changes to the Information Technology Center (ITC) to allow for more system support and diagnostics during non-standard business hours. All systems and applications need to be running properly, since down time affects many if not all departments. Therefore, ITC strives to keep all systems available 24 hours a day, seven days a week. The number of planned or unplanned down times with the enterprise network system during normal business hours decreased in FY 2009 from 16 events to 11 events. Total number of hours that the network was available during FY 2009 was 8,704 hours out of 8,760 or 99.46%. This compares to FY 2008 where the total number of hours that the network was available in was 8,706 or 99.38%.

The Department also invested a number of hours working with school and town staff and gathering information that may lead to improvements in financial reporting, document management and storage, and environmental related reporting to state and federal agencies. These improvements would require a financial commitment by the Town through an appropriation in a future year to be realized.

Office of the Parking Clerk

Debra Smith, Parking Clerk

Anita Mahaney, Assistant Parking Clerk

The Parking Clerk remains actively engaged in the research and review of parking concerns, visiting parking sites to view the condition of painted space numbers, painted curbs, signs, parking meters and money collection boxes continues. This allows for informed, fair decisions regarding parking disputes. The appropriate Town departments are then notified as to where updating, repairs, or signage may be needed.

Parking Tickets 2009	
Tickets Issued	8,641
Tickets Appealed	405
Tickets Voided	293

Parking ticket analysis also depends upon the efforts of the Parking Clerk to access information such as weather reports, MBTA collection records and parking ticket payment information. The

availability and accurate recording of this information assists the timely research of parking ticket appeals.

The Parking Clerk is involved in the Parking Committee's issuance and regulation of All Night Parking Permits. The Parking Clerk handles secretarial functions for the Committee and assumes record keeping responsibilities for permit applicants.

FINANCE COMMITTEE

David Escalante, Chair

Lisa Zappala, Vice Chair

Richard S. Creem, Immediate Past Chair

Scott Brightman

Richard Reilly

Steven Rosenstock

Michael Taggart

Richard Zimbone

Louise Miller, Executive Secretary

PURPOSE

Needham By-Laws charge the Finance Committee with the responsibility of recommending a balanced budget to Town Meeting for its consideration and vote. Of equal importance, the Finance Committee makes recommendations to Town Meeting on capital requests and on policies and principles of sound fiscal management. Additionally, the Committee is mandated by state law to "consider any and all municipal questions for the purpose of making requests or recommendations to the town." (See Massachusetts General Laws, Chapter 39, Section 16.)

Fiscal Year 2009 was the fourth year under the Town Manager form of government in Needham. The Finance Committee worked productively with the Town Manager to reach a balanced budget recommendation for Town Meeting's consideration. In achieving the goal of presenting a balanced budget as well as capital recommendations to Town Meeting, the Finance Committee sometimes asks difficult questions of department managers and town management. Requested expenditures often exceed estimated revenue, making these questions not only worthwhile but essential to the budget process. The process includes meetings, site visits, research, and analysis on behalf of Town Meeting members and the citizens they serve. In some measure, because of this process, one trusts that Needham is a town which strives to enhance its financial integrity, maintain its infrastructure, and preserve the vital services which its citizens continue to enjoy.

FY 2009 HIGHLIGHTS

Operating Budget Recommendation

During FY 2009, the Finance Committee tackled the challenge of reaching a balanced budget recommendation for FY 2010. The Finance Committee began its budget process on December 10, 2008, when departmental spending requests and the School Department's initial budget request were submitted. As in every year, the Finance Committee:

- Carefully reviewed every departmental spending request on its own merit and with regard to the impact of each request on citizen services and the Town's infrastructure.

- Met with the Town Manager, department managers, the Superintendent of Schools, School Committee members, and school administrators.
- Held budget hearings with each department and deliberated in depth all requests.

The Finance Committee received revenue estimates and the Town Manager's executive budget submitted on January 31, 2009. The Finance Committee carefully reviewed and considered, in detail, the Town Manager's recommendations. Thereafter, the Finance Committee worked diligently to prepare a draft preliminary balanced budget recommendation submitted on February 20, 2009, and a final balanced budget recommendation for the Town Warrant in mid-March.

The Town Manager's executive budget included her recommendation for the School Department budget in FY 2010. As authorized in the by-laws, the School Committee transmitted its voted budget request to the Finance Committee. The Finance Committee carefully reviewed and considered, in detail, the Town Manager's executive budget, which sets forth the Town Manager's and the Selectmen's priorities for the operation of the Town. The Finance Committee worked cooperatively with the Town Manager and with the Superintendent of Schools and the School Committee in balancing the competing requests of the various municipal and school departments. After a thorough evaluation of each municipal departmental spending request, the School Committee's budget request, and the Town Manager's executive budget, the Finance Committee recommended fully funding most municipal departmental budget requests, funding some municipal departmental requests for additional funds, and fully funding the School Committee's budget request.

The Finance Committee's goals and philosophy in reaching a balanced budget recommendation were to:

- Maintain essential services currently provided to citizens and other user groups
- Maintain commitment to infrastructure spending
- Preserve and enhance financial stability
- Encourage long-term planning in all departments
- Evaluate new services and requests

Capital Spending Recommendations

The Town's annual capital spending is funded from three distinct fiscal sources: Free Cash, debt within the tax levy, and debt exclusion. Free Cash is a source of funds generated from unspent appropriations in a previous year. Free Cash for Fiscal Year 2010 was approximately \$ 3.1 million, of which approximately \$1.1 million was appropriated for capital items with the balance held in reserve for unexpected operating expenses.

Recurring requests for on-going programs and replacement schedules, such as for roads, bridges, sidewalks and intersections, or DPW vehicle replacements, represented almost 90% of the available Free Cash allocation for FY 2010. In addition, the Finance Committee recommended funding of a number of capital requests with debt, including the Town Hall Historic Preservation Project; continued funding of a special Library collections supplement; town wide information technology upgrades; a substantial increase in the Town's Facilities Maintenance Program;

school furniture, copier and technology replacements; and a feasibility study for extraordinary repairs to the Newman School.

Future Challenges

Economic conditions at the local, state, and federal levels have been difficult. State aid was decreased in FY 2010, as the demand for town services increased, particularly in the schools. In order to continue to provide these services without burdening future generations, the town has embarked on a program of “sustainability”. The goal is to balance the town’s current needs without compromising the ability to meet future needs. The Finance Committee adheres to a policy that operating budgets are funded with recurring sources of revenue, and non-recurring revenues should be spent on one-time capital expenditures and reserve deposits. In broad terms, this requires that the town manage its operations to avoid appropriating money from the Town’s Stabilization Fund, building up reserves to handle unexpected operating expenses and limiting capital expenditures from Free Cash to fund only recurring expenses. As part of its sustainability effort in FY 2010, the Town maintained a plan providing for no increase in the headcount of employees without a dedicated funding source, asked departments for judicious budget submissions, and began developing energy savings initiatives through conservation and the use of alternative energy sources.

The Finance Committee remains committed to working with the Town Manager, Board of Selectmen, School Committee, School Superintendent, town management, and department managers in order to encourage and accomplish long-term planning. The Finance Committee believes that long-term planning efforts can help meet any challenge that may lie ahead.

The Finance Committee deliberates the operating and capital budgets fairly and openly at all times. The Committee meets most Wednesdays from September through June, and the public is encouraged to attend any meeting. The meetings are posted with the Town Clerk at Town Hall. Members of the Committee are appointed by the Town Meeting Moderator, Michael K. Fee. Each member gives countless hours to the “job” so that the Committee is able to recommend to Town Meeting what the Committee believes is a fair and equitable budget for our fellow citizens. The Committee further believes that its independent and objective recommendations help make Needham an outstanding place to live.

LEGAL DEPARTMENT

David S. Tobin, Legal Counsel

PURPOSE

The Legal Department of the Town of Needham provides Legal advice to the Town Departments, attends all sessions of Town Meetings and Selectmen's Meetings, and meets with other Boards when requested. The Legal Department drafts and approves all contracts when requested, represents the Town in the courts and before administrative agencies, and assists in the drafting of legislation, by-laws and regulations.

Budgetary Data

a.	Salaries	\$ 66,886.00
b.	Purchased Services	\$ 213,241.00
c.	Expenses	\$ 6,471.00
d.	Capital Outlay	\$ 0.00
e.	Total	\$ 286,598.00
f.	Full-Time Employees	0
g.	Part-time Employees	1

FY 2009 HIGHLIGHTS

During Fiscal Year 2009, commencing July 1, 2008 and ending June 30, 2009, in addition to the advice given to Town officials on a daily basis, Town Counsel accomplished the following:

- Town Counsel represented the Town, its boards and/or officers and employees in various courts and before various administrative agencies. It handled all related litigation matters, unless covered by a contract of insurance.
- Town Counsel negotiated, drafted, approved, interpreted and/or assisted in resolving conflicts with respect to numerous contracts for the Board of Selectmen, Finance Department, Permanent Public Building Committee, Municipal Building Maintenance Board, School Department, Department of Public Works, Park and Recreation Commission, Personnel Department, Planning Board, Board of Health, Fire Department, Board of Assessors, Conservation Commission, Sewer Department, and Water Department.
- Town Counsel provided legal assistance in the acquisition, disposition and rental of town owned land.
- The Legal Department advised the various Town officials, agencies, boards and commissions on legal matters as they arose.
- The Legal Department engaged and worked with outside counsel to represent the town in the following matters: Labor relations and Litigation

FY 2010 FORECAST

In Fiscal Year 2010, Town Counsel shall continue to provide legal services to town agencies at a reasonable cost.

MODERATOR

Michael K. Fee -- Town Moderator

The Town Moderator presides over Needham's representative Town Meeting, a "citizen legislature" which under Massachusetts law and our Town Charter holds the ultimate authority over all municipal affairs. For example, Town Meeting must decide each year how much money will be spent on all Town services, including schools, public works, and public safety as well as how much will be spent on our public facilities. Town Meeting's approval is also required to

adopt or amend zoning by-laws, general by-laws and at least two-thirds of the Town Meeting must approve the issuance of bonds and the corresponding assumption of debt.

FY 2009 HIGHLIGHTS

Town Meeting convened twice in 2009, once in May at our Annual Town Meeting and again in November in a Special Town Meeting. During the Annual Town Meeting in May 2009, Town Meeting Members acted on a Warrant containing 60 articles and worked through a operating budget that authorized over \$106 million in expenditures for our town.

Town Meeting Members have now had access to the "Needham Town Meeting Handbook" that I authored and distributed with financial assistance of the Richard Patton Melick Foundation for over ten years and the Handbook appears to have improved the Town Meeting Members' knowledge of our procedures and rules. The implementation of a new town government web site has now also increased the flow of information to Town Meeting Members, including electronic access to the meeting warrants and the Member's Handbook.

Prior to the Warrant Meetings sponsored by the Needham League of Women Voters in advance of the 2009 Annual Town Meeting, the League helped arrange and publicize an orientation session that I conducted for newly elected Town Meeting Members. I have continued my participation in the Massachusetts Moderators Association, where I have access to the best practices used by Moderators around the Commonwealth.

The Moderator receives absolutely no appropriation and thus there are no expenditures of public funds to describe in this Report. Any expenses I incur, such as the preparation of educational materials, dues to the Massachusetts Moderators Association and travel to meetings is paid for with personal funds.

I encourage town residents to become involved in some aspect of our community government, including running for a position as a Town Meeting Member. In addition, ample opportunities are available for service on one of our numerous volunteer committees. The Moderator appoints all members of the Finance Committee and the Personnel Board and several members of other boards and committees, including the new Community Preservation Act Committee. I am proud of the citizens I appointed to serve their fellow citizens in various positions during 2009. Any citizen who wishes to be considered for a position on one of these bodies should feel free to contact me.

NEEDHAM CONTRIBUTORY RETIREMENT SYSTEM

Evelyn Poness, Chair
Kate Fitzpatrick
John Krawiecki

Robert Mearls
Thomas Welch

Instituted in 1937, The Needham Retirement System is a member of the Massachusetts Contributory Retirement Systems and is governed by Chapter 32 of the Massachusetts General Laws. The System, governed by a five member Board, is a fund of \$81,691,000. The five members include two appointed by the Town, two elected by the members and retirees, and a fifth member chosen by the other four members with the approval of the Public Employee

Retirement Administration Commission. The Board meets on the second Wednesday of the month.

The Board is responsible to its members, the employees of the Town, for the investment of their retirement funds, to inform them of their rights to retirement benefits, and convey any changes in the law which may impact benefits. Prudent cash management and conservative investment of funds has provided a net increase of \$66,468,000 since we joined the Pension Reserves Investment Trust in June 1985.

Membership in the plan is mandatory immediately upon commencement of employment for all permanent employees. The plan is a contributory defined benefit plan covering all town employees deemed eligible by the retirement board, with the exception of School Teachers. Needham Teachers are administered by the Teachers' Retirement Board. Active members contribute either 5, 7, 8, or 9% of their regular compensation. This is determined by the date upon which the employee becomes a member of the System.

Members become vested after ten years of service. The System provides for retirement allowance benefits up to a maximum of 80% of a member's highest three year average annual rate of regular compensation. Benefit payments are based upon a member's age, length of creditable service, salary and group classification.

The maximum retirement allowance is funded 20% by the employee and 80% by the Town. The Town annually appropriates the amount determined by an independent actuarial study, which incorporates current and future pensions costs and allow funding to be spread over a number of years. The Board is currently reviewing a new actuarial study as of January 1, 2009.

PERSONNEL BOARD



John Dennis, Chairman
Richard Lunetta
Patricia Forde, Vice Chairman
Joseph Herlihy (not pictured)
Elizabeth Dennis, Director of Human Resources (not pictured)
Vivian Hsu
Betsy Spiro, Recording Secretary

PURPOSE

The Personnel Board is a five-member Board appointed by the Town Moderator. The Personnel Board shall advise the executive branch on strategic human resources and collective bargaining matters. In its duties, the Board is assisted by the Director of Human Resources. The Board works closely with the Town Manager during the development of the classification and compensation plans and personnel policies and making recommendations to Town Meeting as it deems appropriate. The Personnel Board adopts and amends personnel policies on an ongoing basis.

FY2009 HIGHLIGHTS

In Fiscal Year 2009, the Board continued its regular duties by recommending a 2.5% wage increase for non-represented personnel and compensation for elected officials. The Board accepted the results of two classification studies; one for members of the collective bargaining unit represented custodian and trades employees in the Public Facilities Department, and the other for members of the Needham Independent Public Employees' Association employed at the Department of Public Works. Prior to the November Special Town Meeting, the Board met and accepted memoranda of agreement with the fire and custodian/trades collective bargaining units.

Board members were involved with the recruitment of the Director of Human Resources and were kept informed on the selection of the Town Accountant and Resident Site Manager. Staff reported to the Board on a variety of issues including employee training opportunities, budget proposals, civil service appeals, negotiations with collective bargaining units to introduce alternative health insurance plans to employees, and a regional meeting with the Lieutenant Governor concerning joint purchasing agreements designed to purchase health insurance.

In addition to the reclassification of an administrative position in the Public Facilities Department – Design and Construction Unit, Board members heard and adjudicated a classification appeal and an employee appeal related to the employee's personnel file. An ongoing review of revised personnel policies continues.

In the performance of its duties, the Board has a Recording Secretary, Ms. Betsy Spiro, who takes minutes of meetings. The Board would like to thank Ms. Spiro for all of her hard work and dedication.

◀ PLANNING & COMMUNITY DEVELOPMENT ▶

BOARD OF APPEALS



*John D. Schnieder, Chairman
Jonathan D. Tamkin, Vice Chairman
Howard S. Goldman, Member
Gregory J. Condon, Associate Member
Peter Friedenberg, Associate Member
Amy Holland, Clerk (not pictured)*

PURPOSE

The purpose of the Zoning Board of Appeals is to hear and render decisions on 1) appeals from the building inspector decisions; 2) applications for special permits or variances under sections of the Zoning By-laws; and 3) requests for comprehensive permits under M.G.L. Ch. 40B (affordable housing). The Board of Appeals consists of three regular members and two associate members appointed by the Board of Selectmen as authorized and established by General Laws, Ch. 40A, the Home Rule Charter Act and Article VIII of the General By-laws.

FY 2009 HIGHLIGHTS

- The Zoning Board of Appeals issued a special permit to Harvard Vanguard Medical Associates for the location a medical testing laboratory facility in the New England Business Center.
- Through an amendment to the original Comprehensive permit, the Board worked with a new applicant to assume a Comprehensive Permit previously issued for 21 High Street. The applicant plans six free-standing bungalows, an improved design better fitting the neighborhood; two of the condominiums will be sold as moderate income housing, and will remain as moderate income housing in perpetuity.
- Acapulco's, a well known Mexican Restaurant was granted a special permit to open a new restaurant in the location of the former Ground Round Restaurant. Acapulco's is located at the gateway to the New England Business Center.

FY 2009 STATISTICS

The Board met twelve times this fiscal year. Twenty-six special permits were granted, 15 amended, and four were withdrawn. The Board interpreted one previously issued variance, and one application for a variance was withdrawn. Two comprehensive permits were amended. One, Craftsman Village at 21 High Street, received a total of four amendments as the project changed hands and an entirely new design needed approval. There were three appeals from the decision of the Building Inspector, one appeal upheld the Building Inspector's decision, one received partial relief, and one was continued into FY10.

Fiscal Year 2009 brought change to the Board. Jon Schneider, a long time member of the board became the new chairman, Jonathan Tamkin became the board's first vice chairman, and Peter Friedenbergl became the new associate member. This new team worked hard and produced many well written decisions; none of which were appealed.

CONSERVATION DEPARTMENT

Lisa Standley, Chairman
Paul Alpert
Janet Bernardo
Marsha Salett

Carl Shapiro
Sharon Soltzberg
Dawn Stolfi Stalenhoeft

PURPOSE

The Needham Conservation Commission is comprised of seven volunteer members appointed by the Board of Selectmen to staggered three-year terms. The Commission is responsible for ensuring compliance with the Massachusetts Wetlands Protection Act and the local Wetlands Protection Bylaw (Needham General Bylaws Section 6). To this end, the Commission receives and reviews applications for projects involving work within or within one hundred feet of resource areas (i.e. wetlands, streams, banks) or within 200 feet of perennial rivers and streams (the "Riverfront Area"). Through the public hearing process, the Commission determines whether a project is permissible under the wetlands statutes and issues or denies a permit accordingly. In addition to their statutory obligations, the Conservation Commission undertakes broader environmental and land-management functions including:

- Managing Town-owned Conservation Land including the 360+ acres at Ridge Hill Reservation
- Promoting the protection of additional open space through conservation restrictions, land donations and purchases
- Educating the public about the importance of protecting wetlands and other open space
- Advising and collaborating with other Town Boards and Committees on matters pertaining to use, management and protection of the Town's natural resources and open space

The Conservation Commission is assisted by a part-time Conservation Officer; and a part-time Department Specialist.

FY 2009 HIGHLIGHTS

Over the course of the year, the Commission continued to see a steady influx of applications ranging in complexity from the construction of single-family homes and additions, to the permitting of construction projects at the new Public Service Administration Building at 500 Dedham Avenue and the Route 128 Add-A-Lane project. During FY09, the Conservation Commission met formally twenty-three (23) times and held public hearings on twenty-six (26) Notices of Intent and ten (10) Requests for Determination of Applicability. In addition to applications reviewed through the public hearing process, the Commission is required to review and act on requests to modify, extend or close out a permit. While date specific statistics are not kept with respect to these administrative decisions, the Commission revamped their efforts to notify applicants about permit expiration dates and to work with them in closing out or extending their permits. Lastly, for that small percentage of projects that occur within the Commission's jurisdiction without the proper permitting, the Commission is responsible for pursuing enforcement to bring such sites into compliance with the state and local wetland regulations. In FY09, 8 projects required enforcement action in order to restore or protect wetland resource areas.

In their role as land managers, FY 2009 highlights included the following:

1. The Conservation Commission continued with the ongoing work with the Comprehensive Master Trails Plan and the Open Space Plan.
2. The Commission worked with Eagle Scouts to begin the construction of signs and kiosks at trailheads throughout Town, and Girl Scout Gold Award applicants on trail maintenance.

The Commission encourages the involvement of all interested Needham residents in helping to preserve and expand the natural resources of the Town. The Commission generally meets the second and fourth Thursday of each month at 7:30 pm and all Needham citizens are invited to attend.

PLANNING

PLANNING BOARD

Martin Jacobs, Chairman

Jeanne S. McKnight, Vice-Chairman

Bruce T. Eisenhut

Maurice P. Handel

Ronald W. Ruth

DEPARTMENT STAFF

Lee Newman, Planning Director

Alexandra Clee, Assistant Planner

Joyce Moss, Economic Development Coordinator

PURPOSE

The Planning Board is charged with broad statutory responsibilities to guide the physical growth and development of Needham in a coordinated and comprehensive manner. Specifically, the Planning Board is legally mandated to carry out certain provisions of the Subdivision Control Law (M.G.L., Chapter 41, Section 81-K to 81-GG) and of the Zoning Act (M.G.L., Chapter 40A). These legal responsibilities are reflected locally in the Subdivision Rules and Regulations and Procedural Rules of the Planning Board and in the Town's Zoning By-Law. The specific services that the Planning Board provides are as follows:

Review and Approval/Disapproval of:

- Approval-Not-Required (ANR) Plans
- Preliminary Subdivision Plans
- Definitive Subdivision Plans, including ongoing administration
- Site Plans of certain larger developments (major projects)*
- Residential Compounds (RC's)*
- Scenic Road Applications

* This includes Special Permit Decisions, with legal notices, public hearings, and written decisions; similar statutory procedures are followed for Definitive Subdivision Plans.

Review and Advisory Reports on:

- Site Plans of certain smaller developments (minor projects)
- Applications to the Board of Appeals for variances and special permits
- Petitions for acceptance/discontinuance of public ways

Initiation, Development, and Presentation of Proposed Zoning Amendments to Town Meeting

Preparation and Maintenance of a Master Plan and related planning studies to guide future physical growth and development in Needham (including studies referred to the Board by Town Meeting)

Revisions to “Subdivision Regulations and Procedural Rules of the Planning Board” and printing of the same

Reprinting of Town Zoning By-Laws and Zoning Map

Provision of Information on Planning, Zoning and Development matters to the public

(including residents, developers, and other government agencies)

It is important to note that if these services were not performed, the Town of Needham would be without the administration of land use planning and zoning regulations, and may be subject to lawsuits from private developers and citizens alike.

FY 2009 HIGHLIGHTS

Fiscal year 2009 showed a reduction in the pressures for growth, change, and development in Needham as evidenced by a decrease in the number of Site Plan Special Permit applications processed by the Planning Board. In its capacity as a special permit granting authority, the Planning Board processed 8 new applications as “Major Projects” under the Site Plan Review By-Law and issued 2 amendments on previously approved “Major Projects”. In addition, the Board processed 1 subdivision plan and a total of 9 plans were endorsed “Approval-Not-Required (ANR)” under the Subdivision Control Law, meaning that the lots created or altered on such plans met minimum frontage requirements.

The Board of Appeals referred 46 applications for variances, special permits, comprehensive permits, and administrative appeals to the Planning Board last year, and as required by the Zoning By-Law, the Board reviewed each application and submitted its recommendations in writing to the Board of Appeals.

During the fiscal year the department began tracking the turnaround time required for its Major Project Site Plan Special Permits and subdivision applications as a way of monitoring the effectiveness and timeliness of our permitting process. Within the monitoring period, the Department tracked the time that elapsed between filing an application and scheduling a public hearing; between the close of the public hearing and the issuance of the Certificate of Action; between the Board’s action and the filing of the written decision with the Town Clerk. The goal was to schedule a public hearing within 5 weeks of receiving an application; to issue a special permit decision or subdivision decision within two weeks of the close of the public hearing; and to file the written decision within 5 business days of issuing a permit. We are happy to report that we met our articulated goal. During the monitoring period, the Board processed 8 new special permit applications and 1 subdivision application. On average, the Board held public hearings within 29 days of application receipt, issued its decisions within 6 days of the close of the public hearing, and filed written decisions with the Town Clerk within 3 days of issuing a permit. The total time required to process an application averaged 46 days, with a minimum of 27 days and a maximum of 92 days. The Department plans to continue to track these events and will submit a similar synopsis with its fiscal year 2010 report.

A comprehensive planning study focusing on improving and enhancing Needham Center was completed in fiscal year 2009. Funding for the \$80,000 study was provided from a \$30,000 state grant, \$25,000 raised through local business contributions and \$25,000 raised by Town Meeting appropriation. The planning effort engaged the Town, including municipal officials, citizens, business interests, property owners, and, where appropriate, federal and state transportation agencies, in a focused and prioritized planning effort to improve the downtown area. The potential for Needham Center is great, but has been limited by the lack of an updated cohesive

vision for the future and the coordinated decision-making that would follow from that vision. To assure that Needham Center continues to serve its important social and economic function, the comprehensive planning process achieved two primary objectives: 1) developed a cohesive comprehensive plan for the future of Needham Center, which addresses the land use, infrastructure, parking and traffic issues; and 2) educated and involved the community during plan development to assure a planning effort supported by a broad range of community representatives. Zoning, land use, and dimensional regulations such as height, setbacks and FAR were addressed, as well as parking, finance, marketing and other aspects of creating an attractive context for investment in a mixed-use center. A final report with policy recommendations for land-use regulations and streetscape improvements was issued in March of 2009. Warrants for zoning changes based on the plan were presented and adopted at the Annual Town Meeting in May of 2009.

In fiscal year 2008 a full-time economic development coordinator was added to the Planning Department's staff. The mission of the new Economic Development Office is to provide the Town with those tools, programs, and services that will enable it to better attract, retain, and grow a diverse commercial base, resulting in increased tax revenues for the Town and locally desired goods and services for the community. Among her responsibilities, the new coordinator provides staff support for the Council of Economic Advisors (CEA), whose job it is to evaluate and recommend to the Board of Selectmen the use of innovative tools and programs and, where applicable, the provision of new services that will promote economic development in Town.

During fiscal year 2009, the Economic Development Office, acting through the Council of Economic Advisors and with the approval of the Board of Selectmen adopted the goal of exploring options for encouraging development in the New England Business Center (NEBC). The 215-acre park is an economic powerhouse of the Town of Needham. In 2009, the NEBC provided 57 percent of all tax revenue that came from commercially and industrially classified properties in Needham. Since March 2009, the Council of Economic Advisors (CEA) has focused its energies on assessing the development prospects of the NEBC, with the goal of making recommendations to the Board on what the Town can do to position the area so that it optimally fulfills its role.

The Town created the economic development coordinator position to support existing businesses as well. Through a partnership with the Needham Business Association, a committee framework has been established that provides opportunity for the downtown merchants to meet and address their mutual need for increasing foot traffic in the downtown. The coordinator also provides one-on-one help for both existing and new businesses; continues to improve the database of commercial properties in Needham; and expects to develop a more informative commercial development website within the Town's site.

The Town continued its membership in the Metro West Housing Consortium, which includes Bedford, Belmont, Brookline, Framingham, Lexington, Lincoln, Natick, Sudbury, Newton, Waltham and Watertown. HUD allocated approximately \$1 million to the consortium for the development of low and moderate-income housing. Participation in the consortium is providing Needham with approximately \$67,000 annually for affordable housing purposes. As anticipated FY 2004 - FY 2008 consortium funds were utilized at High Rock Homes, where the Housing

Authority, with technical support from the Planning Office, oversaw the replacement of approximately 20 of the 80 existing single-family homes with newly built two-family townhouses on the same lot. Construction of this project, which began in fiscal year 2008, was completed in fiscal year 2009.

The Three Rivers Interlocal Council, a regional planning organization, continued to provide the Planning Board and Planning Department with assistance on issues of traffic, land use and planning, and state policies and programs. Through its alliance with other members of the Council, Needham was able to influence development decisions affecting the future of the region.

The key challenge facing the Planning Board and Department over the course of the next five years will be securing the successful implementation of the Needham Center Plan and the Land Use and Zoning Plan for the New England Business Center. The State has made mixed-use smart growth development, as envisioned in the above-noted plans, a priority and has provided the financial assistance required in securing its implementation. Ensuring that Needham takes advantage of its key strategic advantage, namely, four commuter rail train stations, to access those funds and to promote plan objectives remains the Board’s number one priority and challenge.

During fiscal year 2009 the Planning Board lost one of its long-term members, Maurice P. Handel. After twelve years of service on the Planning Board, Mr. Handel was elected to the Board of Selectmen in April of 2009. During his years on the Planning Board, the Needham community benefited from his wise and thoughtful deliberations, and the Board appreciated immeasurably his leadership and presence. The Board now looks forward to its continued relationship with Moe in his new role.

In closing, the Planning Board welcomes your participation at any of its meetings and, in particular, your expression of agreement or disagreement on positions the Board has chosen to take regarding the development of the Town.

◀ PUBLIC SAFETY ▶

BUILDING DEPARTMENT

Daniel P. Walsh, Building Inspector
Stephen A. O’Neil, Local Building Inspector
Eric G. Libby, Local Building Inspector
William A. Kinsman, Plumbing & Gas Inspector

Scott W. Chisholm, Wiring Inspector
Christina D. Hooper, Administrative Specialist
Marianne S. Anastasi, Department Assistant II
John J. Horgan, Sealer of Weights & Measures

The Building Department is responsible for reviewing applications and plans to construct, alter and demolish any building or structure, for compliance with applicable Zoning By-Laws, Massachusetts State Building Code, Massachusetts State Fuel, Gas and Plumbing Code, Massachusetts State Electrical Code, Town of Needham Sign By-Law and the enforcement of Massachusetts’s requirement for Sealer of Weights & Measures. It is the objective of the

Building Department to ensure the quality of life of those who live, work and visit Needham by promoting safety in the construction, use and occupancy of buildings throughout town.

The Massachusetts State Building Code also requires this department to inspect public buildings in town. There are 13 places of worship, 16 day care sites, several state group homes, several nursing home facilities, Beth Israel Deaconess Hospital, Charles River Association for Retarded Citizens, 8 public schools, 4 private schools, one college including dormitory buildings, 982 apartment units and 247 hotel units, approximately 45 other places of assembly and restaurants that require inspections throughout the year to insure that these structures comply with the building code for public safety, ingress and egress.

Responding to inquiries about what regulations allow property owners to do at their property is a major responsibility of the Inspector of Buildings. The Building Inspector must determine that all permits for additions and uses of properties, both residential and non-residential, conform to the Town of Needham Zoning By-Laws and the Massachusetts State Building Code. The Building Inspector also advises those residents who are not in conformance with the Zoning By-Laws of the fact and sees that the necessary corrections are made.

<u>Number of employees</u>	<u>Budgetary Data</u>	
Full-time 7	Salaries	\$414,590.00
Permanent part-time 1	Expenses	\$15,682.00
Part-time 6	Total	\$430,272.00

This Department issued 3,543 permits and collected \$976,720 in fiscal year 2009 in permit fees.

Number of Permits Issued / Fees Collected

	2006	2007	2008	2009
Building	1342/\$1,102,587	1286/\$413,044	1,185/\$1,517,270	1,208/\$728,213
Plumbing	961/\$64,083	945/\$22,900	860/\$73,965	757/\$66,230
Gas	494/\$21,289	518/\$8,491	475/\$20,361	487/\$21,466
Wiring	1302/\$232,593	1,274/\$59,199	1,241/\$226,219	1,060/\$115,116
Signs	32/\$2,475	32/\$1,820	65/\$5,250	24/\$2,025
Swimming Pools	13/\$1,725	9/\$325	10/\$1,450	7/\$1,050
Weights & Measures	\$6,112.80	\$5,547.15	\$4,766.75	\$5,360
Miscellaneous Fees	\$9,157	\$6,473	\$30,688	\$37,260
Totals Permits	4144	4,064	3,836	3,543
Totals Fees	\$1,440,021.80	\$1,198,755.15	\$1,879,969.75	\$976,720

Number of Building Permits Issued for Different Construction Projects

	2006	2007	2008	2009
New Single Family Dwellings	73	71	63	66
New Two Family Dwellings	12	7	29	4
New Non-residential Buildings	-	7	4	2
Conversion to Two Family	-	0	0	0
Add/Alter Existing Residential	708	528	732	858
Add/Alter Existing Non-residential	79	163	120	122
Demolish or Relocate	65	86	96	96
Swimming Pools	11	12	10	6
Signs	27	45	65	22
All other Building Permits	-	375	141	63
Total	975	1,294	1,260	1,239

FIRE DEPARTMENT

Paul F. Buckley, Fire Chief



PURPOSE

To provide the Town of Needham with an effective, well-trained team of professionals to protect the lives and property of its residents through fire suppression, emergency medical services, emergency disaster preparedness, and fire prevention through fire inspections and education, in the most cost-effective manner possible.

FY 2009 HIGHLIGHTS

- In the early morning hours of July 12th, the department responded with all available resources, to a gasoline tanker fire on Route 128. Due to environmental concerns, the fire was allowed to burn itself out. Debris was removed and the highway was re-paved and re-opened within several hours. Miraculously, there were no major injuries.
- In October, a new state-of-the-art ambulance was put into service. We are now fortunate to have two modern ambulances which are both equipped with the necessary supplies and drugs to offer Advanced Life Support service.
- In December, the department was, once again, awarded a Student Awareness of Fire Education (S.A.F.E.) grant in the amount of \$4,464. This program is a state initiative to provide resources to conduct fire and life safety education programs in the schools.
- During the month of January, members of the department completed Rapid Intervention Team (RIT) training. The training was delivered by seven certified

instructors from the Massachusetts Firefighting Academy, in conjunction with a grant we received last year for equipment and training. The focus of the training is to prepare firefighters to be able to rescue themselves and/or their fellow firefighters from extremely dangerous situations when conditions quickly deteriorate during a building fire. The final phase of this grant will be the procurement of specialized rescue tools and equipment. Some of these resources will come from our grant, while other equipment is being provided through a regional grant with MetroFire.

- During the first week of March, all fire department personnel conducted training tours of the new apartment complex at 300 Second Ave. The guided tours provided the firefighters with an opportunity to see not only how the building is being constructed, but to view what might be considered “hidden” dangers once the walls and ceilings are covered and the framework and utilities are concealed.
- On March 23rd, the Fire Department, along with the Police Department, responded to a suspicious device which was placed on a pay phone outside of St. Bartholomew’s Church. Due to the potential danger of this device, the State Police Bomb Squad was called in, as well as the regional HazMat Team from the State Fire Marshal’s Office. Through the efforts of all agencies/department involved, the situation was safely resolved after six hours.
- At the beginning of April, Chief Buckley attended the Congressional Fire Services Institute in Washington, D.C., where he met with Congressman Lynch and several of his staff. The main focus of the meetings was to discuss alternative funding sources during these difficult economic times.
- In June, the Commonwealth of Massachusetts Executive Office of Public Safety sponsored a training program which focused on educating law enforcement and fire department personnel on the many statewide and regional resources available to them. A few of our officers attended this multi-jurisdictional program.
- Our dispatchers had a very busy year maintaining their skills by participating in recertification classes, continuing education and quarterly training programs. All staff members received recertification training in Emergency Medical Dispatch (EMD) procedures and a refresher on our emergency notification system, Swiftreach. In addition, 3 members received EMT refresher training, while all staff members participated in emergency operations center training and limited secondary 911 operations.

Fiscal Year Permits Issued

Type of Permit/Fiscal Year		Number
Fire Prevention	FY 2007	1,227
Fire Prevention	FY 2008	839
Fire Prevention	FY 2009	713
EMS	FY 2007	1,595
EMS	FY2008	1,850
EMS	FY 2009	1,858
Fire Alarm	FY 2007	94
Fire Alarm	FY 2008	74
Fire Alarm	FY 2009	87

Fiscal Year Revenue

Type of Permit/Fiscal Year		Revenue
Fire Prevention	FY 2007	58,458
Fire Prevention	FY 2008	58,353
Fire Prevention	FY 2009	54,979
EMS	FY 2007	538,657
EMS	FY 2008	580,293
EMS	FY 2009	639,745
Fire Alarm	FY 2007	60,990
Fire Alarm	FY 2008	56,640
Fire Alarm	FY 2009	56,358

POLICE DEPARTMENT



Thomas J. Leary, Chief of Police

Lieutenant John Kramer

Lieutenant Phil Droney

Lieutenant John Schilittler

PURPOSE

The police mission is the maintenance of social order within carefully prescribed ethical and constitutional restrictions. This mission contains the following elements:

- Prevention of Criminality
- Repression of Crime
- Apprehension of Offenders
- Recovery of Property
- Regulation of Non-criminal conduct
- Performance of miscellaneous services

Consistent with the above, the department mission is to work with all citizens to preserve life, maintain human rights, protect property and promote individual responsibility.

The police department is established under the authority of Massachusetts General Law, Chapter 41, section 97A.

POLICE DEPARTMENT EMPLOYEES

During the year the full time staff included a total of fifty-eight employees. They included:

- 49 sworn police officers (46 on staff, 3 position vacancies)
- 3 public safety dispatchers
- 1 Animal Control Officer
- 1 Parking Enforcement Attendant
- 3 Civilian clerical Staff
- 1 Mechanic/custodian

In addition, the department maintained fifteen traffic crossing supervisors to staff school traffic crossings.

PERSONNEL CHANGES

During the year one police officer, Matthew MacDonald, was hired. Danielle Landry was hired as Animal Control Officer. There were two resignations from the department and one public safety dispatcher was hired.

DEPARTMENT ASSIGNMENTS

453 child safety seats were installed by Officer James Treggiari during the year. Officer Karl Johnson served as Community Service Officer and Officer R. Vincent Springer served as School Resource Officer. Beyond these assignments, a number of other officers performed a wide range of activities within the community. The mountain bike patrol program was continued during the year.

Many officers were assigned to work with various committees such as traffic management, suicide prevention, emergency planning, domestic violence and human rights. Their ongoing efforts ensured involvement of the entire department across a wide range of activities in the community throughout the year.

During the year, two lieutenants attended a Municipal Police Leadership Institute (MPLI) course and one sergeant attended the Command Training Institute (CTI) at Roger Williams College. All officers attended in-service training provided through the Massachusetts Police Training Council (MPTC). In addition, many officers attended specialized courses when they were available.

The department continued to participate in regional activities with other area police departments in an effort to combine resources and maximize service in areas involving investigative activity, communications technology and tactical deployments.

TECHNOLOGY & PROJECTS

During the fiscal year the state Criminal History Systems Board approved a mobile data interface for the department. This came as a result of a two year long technology project that will now provide officers in the field with cruiser-based access to statewide information that was formerly available through station based communications alone.

The department began to utilize a newly acquired digital booking system to collect photographic images and fingerprints of arrested persons for electronic transmission. The system also provides the department with electronic association of photographic images with record information.

For the second year in a row, the police department participated in the International City Manager's Association (ICMA), Center for Performance Measurement (CPM) data collection study. This project allowed the department to evaluate fiscal year activities against those of prior years, and also to compare our agency with other police departments across a wide range of professional criteria that is common to law enforcement agencies.

COMMEMORATION OF LINE OF DUTY SACRIFICE

In February, the department conducted a memorial service to commemorate the line of duty deaths of Officer Forbes A McLeod and Francis O. Haddock who were murdered when they responded to a bank robbery on February 2, 1934.



The Needham Police Department
&
Members of the Needham Police Department Honor Guard
Will commemorate the 75th Anniversary of the line of duty deaths of
Officer Forbes A. McLeod
and
Officer Francis O. Haddock
on
February 2, 2009 at 9:30 a.m.
McLeod - Haddock Plaza
Chestnut Street

ACTIVITY PRIORITIES – CALLS FOR SERVICE – INCIDENTS – ARRESTS

There are 130 different types of police calls, ranging from administrative services to accidents, to disturbances, larcenies, burglaries and assaults. The types of calls are divided into six different priorities, based upon which activities require similar types of responses. Some examples of each priority type are:

- | | |
|------------|--|
| Priority 1 | - M/V Accident, Robbery, OUI, Assault & Battery, Injured Persons |
| Priority 2 | - Breaking and Entering, Larceny, Disturbances, Stolen Property |
| Priority 3 | - Liquor Laws, M/V Violation, Trespassing, Suspicious Calls/Persons |
| Priority 4 | - Fireworks, Dumping, Public Assistance, Parking violation |
| Priority 5 | - All Alarms – Business, Residential, Bank, Vehicle |
| Priority 6 | - Security Checks, Administrative, Licensing, Lockouts, Weather Damage |

FY 2009 ACTIVITY COMPARED WITH RECENT YEARS

Category	FY2005	FY2006	FY2007	FY2008	FY2009
Calls for Service	29131	28662	26826	27402	24414
Incident Reports	1626	1717	1925	1619	1626
Larceny	216	188	208	213	199
Vandalism	100	86	109	81	61
Breaking and Entering	43	66	40	45	33
Assaults	37	27	44	25	44
Drug Violations	17	19	22	18	11
Operating under the Influence	24	27	23	22	32
Adult Arrests & Complaints	300	245	365	323	300
Juvenile Arrests & Complaints	46	43	50	37	24
Traffic Violations	2796	2159	3106	4157	3688
Alarms	1769	1816	1850	1742	1609
Accidents Reported	467	397	434	436	402

The number of calls for service decreased overall, but incident reporting increased slightly. In general, incident reports are required when officers respond to more serious matters.

The number of breaking and entering investigations was lower than the previous four fiscal years.

Larcenies, vandalism and drug cases were also fewer than in FY2008. In January, a change in state law resulted in the decriminalization of possession of less than one ounce of marijuana.

Cases of driving under the influence increased, as did the number of assaults reported during the year.

Both adult and juvenile arrests & complaints decreased from the total reported last year.

Traffic violations decreased to 3688 and the number of traffic accidents investigated decreased to 402.

◀ EDUCATION ▶

FUTURE SCHOOL NEEDS COMMITTEE

James Lamenzo, Chair
Ann DerMarderosian
Mary Riddell Roger Toran
Marianne Cooley

Marjorie Margolis
David Coelho
Heidi Black

The Future School Needs Committee is a town committee that annually estimates the projected student enrollment. The Committee serves in an advisory capacity to Town Meeting.

FY 2009 HIGHLIGHTS

Completed the annual enrollment projection and report analysis using town census data, including projections under alternative assumptions.

- Analyzed town census data and private school enrollment trends to project kindergarten enrollment.
- Two members served on the School Space Committee.

FUTURE SCHOOL NEEDS COMMITTEE ENROLLMENT PROJECTIONS																							
YEAR	2003/2004			04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19					
BIRTHS*	372			315	306	288	334	295	318	318	318	318	318	318	318	318	318	318					
SCHOOL YEAR	2009/2010																						
GRADE	PROJECTED	ACTUAL	PROJ - ACTUAL	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25					
K	404	423	(19)	386	414	399	407	360	388	388	388	388	388	388	388	388	388	388					
1	411	418	(7)	438	399	428	413	421	373	402	402	402	402	402	402	402	402	402					
2	418	428	(10)	420	440	401	430	415	423	375	404	404	404	404	404	404	404	404					
3	476	479	(3)	433	425	446	406	435	420	428	380	409	409	409	409	409	409	409					
4	419	426	(7)	480	434	426	447	407	436	421	429	381	410	410	410	410	410	410					
5	434	443	(9)	428	482	436	428	449	409	438	423	431	382	412	412	412	412	412					
6	421	422	(1)	443	428	482	436	428	449	409	438	423	431	382	412	412	412	412					
7	394	406	(12)	413	433	418	471	426	418	439	400	428	414	421	373	403	403	403					
8	350	355	(5)	405	412	432	417	470	425	417	438	399	427	413	420	373	402	402					
9	352	365	(13)	362	413	420	440	425	479	433	425	446	407	435	421	428	380	410					
10	373	373	0	360	357	408	415	434	420	473	428	420	440	402	430	416	423	375					
11	324	330	(6)	367	354	351	402	408	427	413	465	421	413	433	396	423	409	416					
12	367	370	(3)	323	359	346	343	393	399	417	404	455	412	404	423	387	413	400					
TOTAL	5,143	5,238	(95)	5,258	5,350	5,393	5,455	5,471	5,466	5,453	5,424	5,407	5,339	5,315	5,300	5,267	5,267	5,243					
K-5	2,562	2,617	(55)	2,585	2,594	2,536	2,531	2,487	2,449	2,452	2,426	2,415	2,395	2,425	2,425	2,425	2,425	2,425					
6-8	1,165	1,183	(18)	1,261	1,273	1,332	1,324	1,324	1,292	1,265	1,276	1,250	1,272	1,216	1,205	1,188	1,217	1,217					
9-12	1,416	1,438	(22)	1,412	1,483	1,525	1,600	1,660	1,725	1,736	1,722	1,742	1,672	1,674	1,670	1,654	1,625	1,601					
	5,143	5,238	(95)	5,258	5,350	5,393	5,455	5,471	5,466	5,453	5,424	5,407	5,339	5,315	5,300	5,267	5,267	5,243					

* REFLECTS JULY 1 TO JUNE 30 BIRTHS

MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

Dr. Edward A. Bouquillon, Superintendent-Director

Minuteman High School is a four-year career and technical high school serving our member towns: Acton, Arlington, Belmont, Bolton, Boxborough Carlisle, Concord, Dover, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, Wayland, and Weston, as well as, 47 other cities and towns in Eastern Massachusetts. Minuteman combines rigorous academics and preparation for college with relevant career and technical programs. The school also provides career development programs for adults as part of our self sustaining Community Education Program.

FY 2009 HIGHLIGHTS

Enrollment

As of October 1, 2009, 15 high school students and 2 post graduate students were enrolled at Minuteman providing a full time equivalent (FTE) of 17 students that reside in Needham. Minuteman offers a part time program where Needham High School students are able to take part in elective technical training courses on a half day basis. Currently, very few Needham students take advantage of this unique program designed to give juniors and seniors the

opportunity to explore career majors and still remain at Needham High School. The District offers 'Post Graduate' programs to Needham residents of any age who are seeking to enhance their own economic opportunity at Minuteman via skill development.

2009 Needham Graduates and Awards

Stanislav Alyokhin, Computer Technology

Abigail Dornbusch, Biotechnology

Aaron Wixon, Drafting

At the 2009 graduation, Abigail Dornbusch received the Friends of Minuteman award, the Department of the Army Award, the Massachusetts Vocational Association Award, the Minuteman National Honor Society Award and the Minuteman Parent Association - Science Technology Division Award. These awards are given to students of superior academic achievement and significant participation in school or community activities.

SkillsUSA Awards – Needham Students

Natalie Demerjian was a Silver State medalist for the Tech Prep Showcase - Human Services.

Class of 2009 Graduate Achievement Highlights

- 100% successfully passed the state-required MCAS tests in English and Math.
- 66% college acceptance or advanced Technical Training, 27% career bound in field and 3% military. Overall, graduates achieved a 96% placement rate.
- 100% of Dental graduates passed the National Dental Board examination.
- 100% of Early Education and Care program completers were certified by the Massachusetts Department of Early Education and Care.
- 100% of Cosmetology graduates that participated in the state board examination were certified.
- Health Occupation graduates achieved 100% in college acceptance.
- Rebecca Rowe, an Environmental Technology graduate from Arlington, was honored as the Massachusetts Vocational Student of the Year by the Minuteman Career & Technical High School Committee, the Massachusetts Association of Vocational Administrators, and the State Commissioner of Education.
- JonFranco Barreto, a Biotechnology student from Medford graduated Valedictorian of the Class of 2009.
- Student speakers at the Class of 2009 graduation ceremony were Valedictorian JonFranco Barreto of Medford, Salutatorian, Christopher Sproul of Stow, and Class President Alicia Ofria of Medford.

Leadership, Governance and Communication

The New England Association of Schools and Colleges conducted a decennial site visit to Minuteman in March of 2009. On December 10th, the Superintendent received a letter from Paul Bento, Director of the Commission announcing our reaccreditation. The following are excerpts:

"I write to inform you of deliberations of the Commission on Technical and Career Institutions at its November 5-6, 2009 meeting, at which time the Commission reviewed the report of its decennial visiting committee dated March 3-6 2009, and voted continued accreditation for

Minuteman Career & Technical High School with a Two-Year Progress Report due February 1, 2011, and a Five-Year Focused Visit in the Spring 2014.

The Commission commends the administration and staff at Minuteman Career & Technical High School for the many commendations identified by the visiting committee. The Commission wishes to highlight several of the accomplishments listed by the committee, although it does so not minimizing the many good things listed in the decennial visiting committees report. These commendations are:

- The positive school climate observed by the visiting committee and displayed by students and staff.
- Administrative efforts to provide leadership in developing plans needed to initiate a comprehensive improvement project for the facility.
- The articulation of the school's Mission Statement and Goals into learning experiences for Students.
- The enthusiastic and committed staff.

The Commission also focused on several visiting committee recommendations that are of particular concern and to which the school should pay particular attention as it strives to reach excellence. These recommendations are:

- Address all health and safety recommendations detailed throughout the report.
- Continue to work toward funding and implementing the facility renovation project.
- Develop and implement new and additional strategies to recruit students to take advantage of the excellent educational opportunities available.
- Continue to work toward greater integration between academic and vocational/technical program instructors.

The complete NEASC Report is available at www.minuteman.org.

The Massachusetts School Building Authority (MSBA) and Treasurer Tim Cahill announced Minuteman's inclusion in the Career & Technical Education Building Program, providing \$100M to 10 Career & Technical Schools for renovation and repairs. MSBA invited Minuteman to the Feasibility phase of a renovation project (visit www.minuteman.org for more information.)

The Minuteman ESCO project upgraded and retro-fit a number of the school's energy-using building systems with cutting-edge technology and implemented a series of energy efficiency strategies that will trim Minuteman's energy use as much as 50% and generate equivalent savings on the school's energy bill. Upon completion of \$5,000,000 worth of work which included new boilers, chillers, electrical switch gear, lighting upgrades and weatherization Minuteman saves 57% of our water; 44% Gas and 22% of our electrical bill. This results in savings of about \$275,000. In addition, annual energy savings is being used to pay for the improvements; thus no cost to our member communities.

Curriculum and Instruction

- The Art program has been restored to the Minuteman Curriculum. More than 160 students have enrolled in 3 levels of classes and a waiting list has been established. A Health class has also been established to supplement a well-rounded student education. Minuteman has reinstated music as a formal elective course and performance outlet after a hiatus of over twenty-five years. The purpose is to assemble a comprehensive music and performing arts program and attending graduation requirements during the next four years. Our expectations include the development over time of a diversified course of instruction that will feature traditional course work (chorus, theory, instrumental instruction and performance) as well as activities that reinforce the relationship between musical knowledge and skill and our technical majors, including electronics and computer programming as well as recording and sound engineering.
- Minuteman has added a full-time Reading Specialist position that combines classroom teaching with consulting responsibilities. Reading skills improvement is a school-wide goal. The Reading Specialist oversees our computer-assisted remedial reading lab, co-teaches developmental English classes, and provides specific reading services per students' Individualized Educational Plans (IEP). In addition, he will share his expertise in collaboration with all academic and career and technical departments to improve curriculum delivery through the active application of reading strategies and study skills. Minuteman has reinstituted the full-time position of licensed School-Adjustment Counselor. The position is supported by Special Education grant funding, and it allows for the provision of counseling services to students in response to needs articulated in their Individualized Educational Plans (IEP).
- Career and Technical programs are now aligned along 5 Career Clusters: Agriculture and Transportation, Bio-Science, Business and Information Technology, Human & Commercial Services, and Trade & Engineering. Clustering allows for common core curriculum to be delivered in clusters to 9th and 10th grades students.
- Since the Fall of 2008 all 9th grade students partake in daily English and Math instruction, rather than the long-established “week on-week off” schedule, thus providing consistent academic instruction in preparing for required MCAS score increases by the state department of education.

Assessment and Program Evaluation

- Minuteman developed a Non-traditional Exploratory Program through which all students learn about the viability and challenges of men and women in non-traditional careers, such as Automotive Technology, Carpentry and Construction, Computer Science, and Engineering for women and in Medical Careers, Cosmetology / Barbering, and Office Technology for young men. The students learn about these careers through a series of hands-on exercises, guest speakers and alumni panelists, and field site visits to industry partners.
- Minuteman is moving towards a ‘modified inclusion model’ for Special Education students. Professional development for staff continues as we implement this proven strategy.

- Minuteman underwent its 3rd New England Association of Schools and Colleges Decennial re-accreditation site visit in March of 2009 and Minuteman will remain an accredited High School.
- Minuteman students performed very well on the 2009 MCAS: 92% pass rate in Math, 100% pass rate in English, 95% pass rate in Science & Technology.

Professional Development

- The Minuteman staff has prioritized two professional development topics for the 2007 – 2010 timeframe. Based upon feedback from our EQA report, several half day training sessions on summative and formative assessment methodologies are being held. In addition, the development of Professional Learning Communities is happening for 40 staff with several outside resources.

Student Access, Participation and Support

- Minuteman reorganized the assignment of guidance counselors to provide incoming 9th grade students with a dedicated guidance counselor. Our research has shown that many freshmen need additional support as they made the adjustment to High School.
- In addition to having a dedicated 9th grade counselor, the re-assignment strategies now include counselors covering the career clusters. This provides the counselors with a more thorough knowledge of the career areas and the staff.
- Minuteman offers 16 sports with three levels (Varsity, Junior Varsity and Freshmen) throughout the school year. Over the past 7 years the number of participants has doubled in many of the sports offered. Minuteman maintains a no cut and no athletic fee policy. In addition, Minuteman students have access to more than 30 clubs and activities.
- The Minuteman Parent Association meets monthly and supports all aspects of the Minuteman community. In addition, they assist in fundraising for scholarships awarded at graduation. The goal of the MPA is to help support student access and achievement in all areas including but not limited to academic, vocational, athletic, and extra-curricular activities.
- A new website, www.minuteman.org, launched in September 2009.

Financial and Asset Management Effectiveness and Efficiency

- The Minuteman FY10 budget was passed unanimously at \$17,496,001, which represents a 2.91% increase without taking into account the cost of the Middle School Tech Programs. A portion of the increase was due to rising health care costs and utility costs.
- Budgets continue to be tightly managed as Minuteman seeks to ‘right size’ itself and reduce its’ per pupil expenditures.
- A new financial management software system was implemented to improve the efficiency in the Business Office as well as a restructuring of staff. A new Director of Business and Operations position was hired with the impending retirement of two separate administrators. This position oversees all areas of non-instructional support services provided to the school and will continue to improve efficiency in all of these areas.

- The FY10 Capital funds were used for major systems repairs, continuing to implement the approved Technology Plan, upgrading the main entrance mall area of the school, relocating the vocational coordinator office, renovating and relocating the Early Education Child Care Center, renovating of hallway areas and the cafeteria space, upgrading the pool heating systems, upgrading the graphic arts classrooms, physical education classrooms, and fitness room for students, refurbishing the tennis courts, relocating the maintenance office, renovating classroom space for a new music room and barbering room and relocating and installing the student made welding horse at the front entrance of the school.

NEEDHAM PUBLIC SCHOOLS

SCHOOL COMMITTEE

Michael Greis, Chair

Marianne Cooley

Laura J. Flueckiger

Connie Barr

Joseph Barnes, Vice-Chair

Donald Gratz

John O'Leary

CENTRAL ADMINISTRATION

Daniel E. Gutekanst, Superintendent of Schools

*Christine Brumbach, Director of Student Development
and Program Evaluation*

Thomas F. Campbell, Director of Human Resources

Theresa W. Duggan, Director of Program

Development and Implementation

Anne Gulati, Director of Financial Services

PRINCIPALS

Emily Gaberman, Broadmeadow School

Suzanne Power Wilcox, John Eliot School

Michael Kascak, Hillside School

Michael Schwinden, William Mitchell School

Barbara Laites Collins, Newman School

Glenn Brand, Pollard Middle School

Paul Richards, Needham High School

THE SCHOOLS



The High Rock School

Needham has five elementary schools, one middle school, and one high school. It has a strong reputation for academic excellence and also boasts a full range of co-curricular and out-of-school opportunities including after-school and summer services. The newly expanded and renovated Needham High School provides an exceptional learning environment, complete with technology and innovative learning spaces, for the community's high school students.

Needham is a long-standing member of METCO, a voluntary desegregation program that provides educational opportunities in suburban communities for Boston children. Needham is also a participant in The Education Cooperative (TEC), a collaboration of 14 school districts that enables all of the communities to benefit from economies of scale in purchasing, as well as sharing in high-quality, cost-effective education services such as Special Education that would be impossible for any one community to provide by itself.



Needham High School

During the 2008-2009 school year Needham enrolled 5190 students in its five elementary, one middle, and one high school. The enrollment breaks down as follows:

Preschool	70
Elementary	2551
Middle School	1104
High School	1404
Out of District Special Education Placements	61

NEEDHAM PUBLIC SCHOOLS MISSION, VALUES AND GOALS

During 2006-07, district leaders revisited our vision, core values, and mission which led to a revision of system-wide goals and objectives and their adoption by the School Committee in November 2007. The School Committee reviews the goals and the progress toward the goals yearly.

What is our mission?

A school and community partnership that creates excited learners, inspires excellence, and fosters integrity.

What is our vision?

We envision all students engaged and fulfilled in their learning, committed to their community, and willing to act with passion, integrity, and courage.

What do we value?

Scholarship *Learning* Every student engaged in dynamic and challenging academic experiences that stimulate thinking, inquiry, and creativity; identify and promote the development of skills, talents, and interests; and ensure continued learning and wellness. Staff improving their practice in an environment that supports a high level of collaboration and instruction that is focused on helping every student learn and achieve.

Community *Working together* A culture that encourages communication, understanding, and is actively anti-racist. Sharing ideas and valuing multiple perspectives ensures a caring community committed to the promotion of human dignity.

Citizenship *Contributing* An environment that nurtures respect, integrity, compassion, and service. Students and staff acknowledge and affirm responsibilities they have toward one another, their schools, and a diverse local and global community.

Personal Growth *Acting courageously* All students developing skills and confidence through personalized educational experiences that build on student strengths and emphasize reflection, curiosity, resilience, and intelligent risk-taking.

SYSTEM-WIDE GOALS

District Goal #1: Advance Standards Based Learning

To refine and continue to put into practice a system of curriculum, instruction, and assessment that enables each student to be engaged in challenging academic experiences that are grounded in clearly defined standards.

District Goal #2: Develop the social and emotional skills of all students

To ensure that students have the social and emotional competencies that enable them to be self-aware, to have social and relationship skills, to self-manage, and to make responsible decisions.

District Goal #3: Promote Active Citizenship

To ensure students have the knowledge and skills necessary to participate productively in the local and global communities and commit them to action as learners and citizens.

District Goal #4: Ensure infrastructure supports district values and learning goals.

To build and carry out a sustainable plan for financial, building, technological, and human resources that enables our learning goals and is responsive to student and school needs.

Every September, the Needham Public Schools publishes a Performance Report which is mailed to every Needham residence. The 2009 Performance Report offers factual information that highlights accomplishments and lays out challenges. It reflects the system’s commitment to data-driven decision making, honest communication, concern for the achievement of all students, and continuous improvement. The report is organized with student performance as its central focus, with additional information about staff, finances, planning, and community satisfaction. A section of the report is devoted to each of these topics.

This publication is available to view on the Needham Public Schools website under School Committee reports: www.needham.k12.ma.us

◀ **DIVERSIFIED COMMUNITY SOCIAL SERVICES** ▶

NEEDHAM COUNCIL ON AGING

COUNCIL ON AGING

Susanne Hughes, Chairperson
Carol deLemos, Vice-Chair
Scott Brightman
Roma Jean Brown
James Dolan
Dan Goldberg
Risa Greendlinger
Andrea Rae
Colleen Schaller
Derrek Shulman
Nina Silverstein
Mary Elizabeth Weadock

DEPARTMENT STAFF

Jamie Brenner Gutner, Executive Director
Sherry Jackson, Associate Director
LaTanya Steele, Social Worker
Paula Angell, Outreach Worker
Barbara Falla, Social Worker
Penny Gordon, Program Coordinator
Dorene Nemeth, S.H.I.N.E. Program Director
Denise Roskamp, S.H.I.N.E Assistant Program Director
Won Whang, Building Monitor
Elwyn Cotter, Van Driver

PURPOSE

In the 1950's, Dorothea Willgoose, MD., a forward thinking resident, realized that the older adult population of Needham had unmet health, housing and social needs. In large part due to her advocacy, the Needham Council on Aging was established to address these issues by Town Meeting vote in 1957. Various community partners such as the YMCA shared space with the department over the years until the doors officially opened as the Stephen Palmer Senior Center at 83 Pickering Street on October 2, 1979. This address has been home ever since. For the past 59 years our mission has consistently been to respond to the needs of older residents' by providing a welcoming, inclusive, secure environment where individuals and families benefit from programs, services, and resources that enhance their quality of life and provide opportunities for growth. Needham can boast that as a proactive community it was forward thinking enough to encourage the formation of one of the first formally recognized Councils on Aging in the State of Massachusetts. We are proud to state that the Needham Council on Aging's Senior Center was the first in Massachusetts, and the 20th in the nation, to achieve national accreditation ten years ago.



As a town department, the Needham Council on Aging is charged with serving Needham's 60+ population and their families, by addressing diverse aspects of aging service interests, concerns and needs. We provide advocacy for Needham's senior population on the local, regional, state, and national levels, to assure that needs and interests are being met in an environment that fosters independence and a quality of life that supports each individual to function at their optimal level.



We fulfill our mission as a true community partner by delivering programs and services in a variety of places, and wherever needed throughout the town. The COA offers a variety of programs and services five days a week at the nationally accredited Stephen Palmer Senior Center, located at 83 Pickering Street, where the professional Council on Aging staff has had oversight for the past 29 years. The Center hours are Monday-Friday 9:00a.m.- 4:00 p.m. The Council on Aging office, also located at the Stephen Palmer Senior Center, is staffed

Monday-Friday, 8:30a.m.-5:00 p.m. throughout the year.

Some of the services and programs provided to meet the goals of the Council on Aging Department include, but are not limited to: outreach and counseling services, advocacy, transportation, daily meals, information and referral, health benefits counseling, volunteer opportunities, health & wellness information and screening, creative and social classes, educational programs, special events and trips, and a drop-in center for socialization, independent activities and learning opportunities.

FY 2009 HIGHLIGHTS

Challenges:

- This year presented some difficult staffing challenges, including the need to fill two important part time positions and an unexpected personal tragedy that affected another team member's participation. During our interview process to fill positions deadlines were not missed and programs and services continued even though the reduction in our staff ratio impacted the team members remaining. The positions were filled by December with two highly qualified individuals.
- An additional challenge occurred when the department learned that it would not be eligible to continue participation in a grant that had previously aided in funding the Transportation Program. The cost of running this program is approximately \$40,000 per year and it is now dependent entirely on donations. Food shopping options are an important function of our transportation program which is evidenced in the amount of shopping trips taken weekly, monthly and yearly. Presently the van is utilized three days a week, morning and afternoon, to fulfill this need. Four of our six scheduled weekly shopping excursion have volunteer shopping assistance available which takes the form of assisting with grocery carrying or "side by side" assistance in the aisles. With each option the resident is participating in the process and therefore maintaining some level of control and independence. For some residents this is the one time a week they leave their homes and get to be with others. Two additional weekly grocery shopping opportunities are offered for the more independent shopper. We continue to pursue possible alternatives and community collaborations related to funding.
- Various building issues presented challenges to include intermittent flooding of office and programming space.
- Due to the major economic changes the department has seen an increased number of folks dealing with issues that were minimally explored in the past but that have now taken center stage. These include but are not limited to: how to write a resume, how to locate and pursue work opportunities, how to apply for food stamps as well as how to deal with issues surrounding foreclosure and homelessness. As always, the staff responds to the individual needs of the population we serve, the evolving changes of the world and the Needham community.
- DTV conversion also demanded our attention and offered one more opportunity to work with community partners such as the Rotary Club and the Needham Cable Channel.
- As the Aging Service Department for the town, The Council on Aging deals daily with the increase to the over 60 census in Needham (25% of the population by 2010) and therefore the increase in information and service needs of residents.

Successes:

- Since the municipal restructuring a few years ago the departments that fall under the heading of Community Social Services have collaborated and shared resources as appropriate. Due to this change and additional hours that were appropriated at town

meeting, the Council on Aging welcomed 4 hours of administrative assistance one day a week this year.

- The Executive Director and Associate Director submitted a proposal to the Annual Massachusetts Council on Aging Conference and were pleased to be chosen to present “How to Program for the Overall Health of a Multi-Generational Population” in October 2008. The session was well attended and the majority of evaluations received were positive.
- The quest for a senior center site continued and as requested the Executive Director was assigned as a staff member to the Senior Center Exploratory Committee which met routinely throughout the year. To aid the Town Manager and the Committee the department compiled detailed information on senior center programming and other pertinent information as requested.
- This year the Needham Public Schools and the Needham Council on Aging partnered to offer new volunteer opportunities. One example was the “Senior Greeters” program which began at the High School in the fall. Eight volunteers participated in the first year.
- Consistent with our commitment to community collaboration this past Spring the Council on Aging took a lead role in organizing a Volunteer Fair to help make residents aware of the many possibilities for community engagement that exist in Needham.
- The Council on Aging continued to offer new and innovative programming. One example was the “Sages and Seekers” a pilot program we participated in this winter. The project was designed to bring youth and older adults together to share unique gifts and insights. Additionally, this spring work began on the “Senior to Senior” program that is scheduled to launch in the fall of 2009.



Senior To Senior Program

FUNDING FY 2009

Funding for the Council on Aging Department and the many services and programs that we offer comes from varied sources. This past year the town of Needham funded part or all of some salaried positions and allocated a sum to purchase services and expenses. As an adjunct to town funding, the Council on Aging received funds through the State Formula Grant which supported some professional staff hours and expenses. The Needham Council on Aging administers the SHINE Grant (Serving the Health Information Needs of the Elderly) for 22 cities and towns in the MetroWest region. The funding received was used to pay for the part time positions of the Shine Program Director and Assistant Director that provided supervision and oversight for 44 volunteers. It also funded a temporary position to outreach to low income individuals about the “extra help” (LIS) available for prescription drug costs as mandated by the Centers for Medicare and Medicaid Services. Donations continue to supplement the programs and services offered as state and municipal funding does not provide full financial support for all that the aging service department provides. Presently the department relies solely on donations to fund the Transportation Program.

PROGRAM STATISTICS FY 2009

- 350,000 volunteers donated close to 23,000 hours which translates to over \$35,000 worth of service to the town of Needham
- Over 40 SHINE Counselors served at least 600 people from the Needham Office and provided 5,652 volunteer hours of service within the 22 town MetroWest region and contributed to an estimated \$2,475,541 in health care costs for residents in these towns
- The Council on Aging Department served over 3500 different people and offered over 2400 different sessions of programs and events
- Our social service department touched over 2500 lives
- Our van provided 6770 rides to include 2748 rides related to food shopping which is an approximate 13% increase over last years usage for food
- 10,000 + phone calls were logged in by our receptionists

DEPARTMENT OF VETERANS SERVICES

John J. Logan, Jr., Director of Veteran's Services

PURPOSE

- To carry out functions assigned to the office by Chapter 115 of the General Laws of Massachusetts for the towns of Needham and Dover.
- To keep a depository of discharges and records of veterans.
- To oversee the disbursements of veteran's benefits to veterans and their families.
- To fulfill the requirement of Chapter 115 that all veterans graves will have an American flag placed on them for Memorial Day.
- To see that all veteran's graves in Needham and St Mary's cemeteries are kept and cared for and free of debris.
- To insure that veterans who die without funds are properly interred.



BUDGETARY DATA

Salary	\$39,883
Expenses	\$23,920
Veterans Benefits	\$20,000
Purchase of Service	\$262
Total	\$64,065

FY 2009 HIGHLIGHTS

- Organized and participated in the Memorial Day Parade
- Organized and participated in the Veterans Day Ceremonies
- Put over 2,000 American flags on the graves of veterans in St Mary's and Needham Cemeteries
- Participated in the bringing of the Wall That Heals to Needham





NEEDHAM YOUTH SERVICES

YOUTH COMMISSION

Cathy Lunetta, Chairperson
Connie Barr, Vice-Chairperson
Vincent Springer
Sarah Cocuzzo

Ronnie Haas
Doug Levy
Ian Campbell
Debbie Winnick

DEPARTMENT STAFF

Jon Mattleman, Director, Needham Youth Commission
Carol Rosenstock, Office Manager
Katy Colthart, Clinical Social Worker
Alexandra Hogan, Clinical Social Worker
Elizabeth Barnes (Clinical Intern)



PURPOSE

The mission of the Needham Youth Services (formerly known as the Needham Youth Commission) is to provide leadership and a community focus on youth and family issues and to promote community wellness by: Identifying and addressing youth and family needs; Advocating for youth and family interests; Partnering with other youth and family serving agencies; Developing and implementing quality programs and services; and Educating and communicating with the public regarding youth and family issues.

Needham Youth Services operates as a mental health resource offering a wide array of confidential clinical and programmatic services to children, adolescents, and families. While the department's services are reaching more people and having a greater impact, it is clear that the need for such services far outweighs the department's resources; thus, many in Needham are not receiving support. Youth Services has worked diligently to construct meaningful services designed to meet the increasing and ever-changing needs of the Needham community.

FY 2009 HIGHLIGHTS

QPR Suicide Prevention Trainings (Question, Persuade, Refer): The QPR Suicide Prevention model is patterned after the success of the CPR (Cardio Pulmonary Resuscitation) medical intervention and is based upon the several concepts including: those who most need help in a suicidal crisis are the least likely to ask for it; and that the person most likely to prevent a person

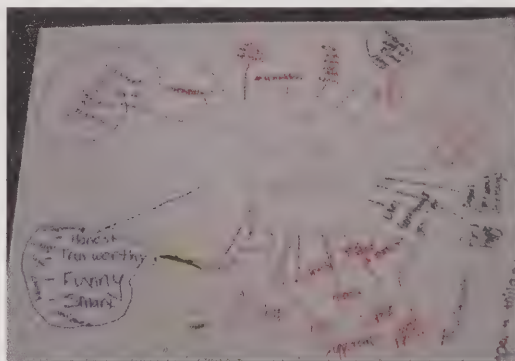
dying by suicide is someone they already know. Trainings are one-hour in length and are available to any community group in Needham. In the past year over 96 people were trained.

Safe Surf: Internet Safety for Middle School Youth and their Parents: Initially funded by the Needham Education Foundation, this program provided students and parents with the knowledge to navigate the Internet with confidence. Through workshops and written materials, students and parents learned about appropriate ways to use the Internet. In FY 2009, 346 youth participated in this program, and 300 booklets were distributed to parents.

A Conversation...For Parents of Teens: Sponsored by the Needham Women's Club, this program allowed a maximum of nine parents per session to focus on a specific youth-related topic such as alcohol/drugs, suicide/loss, stress, and depression. Fifty-four parents participated in this program, and it is slated to expand in the coming year.

Website: It is estimated that over the past year thousands of "hits" were registered on the Youth Services website. Residents learned about our services, registered for programs, read the Needham Youth Services Annual Report, viewed pictures of the staff, and much more. Special thanks to the Information Technology Department for their support in establishing this vibrant website. Please visit the Youth Services online at www.needhamma.gov/youth.

Individual/Family Counseling: The Masters level clinicians on staff are skilled at working with youth and families who are experiencing difficulties with issues such as family discord, loss, drugs, alcohol, stress, and other mental health concerns. Who used these counseling services? They were neighbors, cousins, children, and friends; they were people with no health insurance or expired health insurance; they were people grappling with either a short or long-term problem; but mostly, they were people who had the hope and determination that life can bring greater satisfaction and reward. Perhaps the most frightening area of concern is that young people were encountering more complex issues at a younger age. It was not unusual to work with an elementary age youth coping with a significant loss, a middle school student coping with parental alcohol use, or a high school student with a serious drug problem. In the past year 555 hours of counseling were provided to Needham youth and their families.



Youth Services "Extreme Looks"

Community Crisis: Over the past five years, the Needham community has grappled with the sudden loss of several young people, and the Youth Commission responded by outreaching to youth, parents, and families in a variety of ways --- from individual meetings, to group sessions, to the distribution of informational materials. In addition the department was actively involved in the Needham Coalition for Suicide Prevention. A significant number of staff hours were devoted to creating materials and meeting with community leaders.

Counseling/Psycho-Education Groups: Group counseling/psycho-education was a practical and effective mode of both prevention and treatment and allowed the staff the opportunity to interact with greater numbers of people over the past year. Group intervention offered a unique

opportunity for young people to learn about issues which affect their peers and to receive feedback from their peers regarding issues such as: divorce, stress, self-esteem, bullying, abuse, depression, social skills, loss, drugs/alcohol, and violence/anger. Of special note was the "Extreme Looks" program, a four-day mind/body/spirit event for girls. In FY 2009, 449 hours of group counseling/psycho-education services were provided; this represents an increase of 25% as compared to five years ago.

Substance Abuse Awareness Program: Youth Services continued to offer a structured 15-hour Substance Abuse Awareness Program (SAAP) for drug/alcohol-involved youth. This service provided an assessment of current substance use, intervention, education for youth and their families, and counseling services to support healthy lifestyles. All participants and their parents attended an Alcoholic Anonymous (AA) or Narcotics Anonymous (NA) meeting to assist in transmitting the message that drugs and alcohol can impact any person without regard to age, gender, or status.

Books and Bridges - The Parent/Child Book Club: Using literature as a bridge between generations, this program consisted of an interactive two-session program for mothers and daughters, fathers and sons, parent and sons, and parent and daughters to explore issues of mutual interest and concern. In FY 2009, 46 youth and parents participated in this program.

Loss Program: The Loss Program was designed in collaboration with the Needham Public Schools. The mission of this program was to assist youth in addressing the frequently upsetting, overwhelming, and confusing issue of "loss." This included, for example, the death of a parent or grandparent, suicide, the separation/divorce of parents, the loss of a cherished pet or possession, or the break-up with a boyfriend/girlfriend. Loss is a topic youth will be dealing with more and more as they get older, and it is critical to understand the impact loss can have upon a young person's academic, physical, social, and emotional well-being. The Loss program engaged 340 youth in FY 2009.

PEEPS (Positive Education for Experiencing Peer Stress): PEEPS was an interactive workshop for 6th grade students that explored the issues of friendship and bullying. The goals of the workshop were to identify qualities students would like in a friend, understand that friends and friendships change, and to share experiences and hear feedback regarding how students would like to treat others and be treated in their peer relationships. Over the past year, 361 youth participated in this program.

Picture Perfect: Picture Perfect was a workshop for 8th graders that investigated the issue of how the media portrays gender roles and appearance, and explored how this can negatively impact how youth can feel about themselves. The goals of the workshop were to help students learn to identify gender role stereotypes, to understand how stereotypes are portrayed in the media, and to investigate how media messages impact them on a daily basis. In FY 2009, 363 youth participated in this program.

Teen Dating Violence Program: Youth Services provided seminars on Teen Dating Violence for all 9th graders at Needham High School. The seminars were designed to teach the unique

aspects of Teen Dating Violence, how to recognize the warning signs, and ways to access community supports. Over the past year, 340 youth were involved in this program.

RAY of Hope Program: RAY (Recognize A Youth) was established by Needham Youth Services in an effort to acknowledge the outstanding service and positive contributions that young people are making to the Needham community. Working in collaboration with the Needham Business Association, each month a young person was selected as the RAY of Hope recipient and was awarded a certificate from Youth Services and a check from a member of the Needham Business Association. The RAY of Hope program validated youth and recognized their role in making the Needham community a special place to live.



Patrick Forde Good Person Memorial Award:

In 2005, Needham resident and community activist Patrick Forde passed away unexpectedly at the age of 51. Patrick was a person who cared deeply about Needham and about youth and families, as well as being supportive of the work of Needham Youth Services. In an effort to honor Patrick, this award is given annually to a Needham resident who has helped make

Needham a better place to live through his/her volunteer work and commitment. This award is recognition that through volunteerism and caring, each person in our community is able to enhance Needham. The first recipient was Richard Remnitz for his work with the Needham Youth Center; this year's recipient was "Solar Sam" for his work with elementary and middle school students in Needham. Over 100 people attended this year's award ceremony.

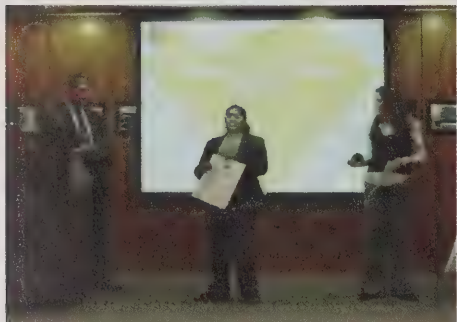
2009 RAY of Hope Award Recipient Dan Antoszyk, with John Mattleman, Director of Needham Youth Services

Employment and Volunteer Programs: The Employment Program consisted of two primary services: 1) Youth were linked with residents and provided around-the-home support in the form of babysitting, yard-work, and snow removal; and 2) Youth investigated employment opportunities in local businesses such as offices and restaurants. Additionally, the Volunteer Resource Listing was created to inform youth of area volunteer opportunities. In FY 2009 these programs fielded 302 inquiries.

Needham Unplugged: Electronics are a wonderful part of life --- people learn, communicate, and access information from electric powered devices and watch TV or surf the Internet as a way to relax and to relieve the stress of daily life. Unfortunately being so "plugged in" can isolate people. Instead of interacting with family and friends, people all too often become passive voyeurs. Needham Unplugged was an awareness campaign to remind families and residents to "unplug their electronics" and "plug into" each other. "Unplugged" was a reminder that there is more to life than what is on the other side of a plug. A calendar for the month of March outlined activities that did NOT require electricity and emphasized person-to-person interaction and health. The centerpiece of this year's "unplugged" occurred on March 12th; it was the no-homework, no sports, and no meeting night for the Needham Public Schools, and there were no town meetings and virtually no civic, religious, or community meetings took place in Needham. Many area communities such as Newton, Belmont, and Holliston were impressed enough to replicate this program in their communities. Special thanks to partners at the Park and

Recreation Department and the Charles River YMCA, Needham Board of Selectmen, and to the Needham Public Schools for their support.

Peer Tutor Program: The Youth Services' Peer Tutor Program represented a progressive youth-to-youth collaboration. This program matched high school students with middle and elementary school students in need of academic or organizational/study skills assistance. Needham Youth Services' role consisted of outreach to potential participants, training of high school volunteers, monitoring weekly tutoring sessions, providing support if problems occurred, and facilitating communication between volunteers and participant families. Over the past year, Peer Tutor Program volunteers provided 1,537 hours of support to younger students.



Make A Statement Day: This program was implemented at Needham High School for students and staff. Aimed at promoting diversity, tolerance, and understanding by creating an opportunity for students and staff to communicate about issues of importance to them, students and staff created and wore t-shirts with quotes, statistics, and/or statements about meaningful issues in order to raise awareness and have a voice. In the third year of operation, 800 participated in this event this past year.



Youth Services' Make A Statement Day

Take Back the Night: Take Back the Night was a community-wide event organized and led by Needham High School students to promote awareness about domestic and dating abuse. The focus of the evening was prevention through education and it was sponsored in large part by the Needham Domestic Violence Action Committee (of which Youth Services is an active member). The event featured live music, a candle light vigil, guest speakers, and resources/information; over 125 participated in the 2008 event.

Parents Please Talk With Your Mouth Full: "Parents" was a unique collaboration between Needham Youth Services and Sweet Basil restaurant. During these one evening workshops parents enjoyed a terrific meal and had the opportunity to share, learn, laugh, and talk about the joys and challenges of parenting (prior to the workshop parents are assigned a book about parenting). The workshops were offered to parents of middle and high school age youth. In FY 2009, 40 parents participated in this program.

Project VAN (Volunteers Around Needham): VAN offered youth ages 13 to 17 the opportunity to work as part of a team providing valuable community service to non-



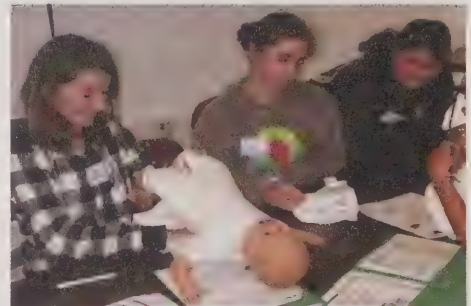
Needham Youth Services' Project VAN

profit organizations in Needham. Sites included Charles River ARC, Needham Park and Recreation Department, Needham Community Council, Needham Public Library, Needham Council on Aging, and Wingate at Needham. Project VAN is generously supported by the Needham Community Council. VAN participants provided more than 440 person hours of free volunteer services over the past summer.

Graduate/Undergraduate Internship Program: In FY 2009, Needham Youth Services welcomed a clinical intern from Simmons Graduate School to provide individual, family, and group counseling services as well as extensive work on the Peer Tutor Program. Over the course of the academic year, interns provided over 800 hours of free service to the Needham community.

Diversion/Restitution Program: In conjunction with the Needham Police Department and the Dedham District Court, the Needham Youth Services continued to offer youth who have committed minor violations of the law the opportunity to participate in community service work in lieu of further court action and/or fines. The department's role was to work with offenders and their families to identify the motivations for their behavior, to provide support as required, and to oversee the placement and completion of community service. In the past year, participating youth completed assignments at the Needham Public Library. In FY 2009 Needham Youth Services supervised over 115 hours of community service to the Town of Needham.

Seminars/Workshops/Presentations: Needham Youth Services designed and facilitated numerous trainings in the past year including training for new Needham Public School Staff, Babysitter Training Seminars, presentations at the schools and in the community and many others. In FY 2009 the Needham Youth Services worked with a total of 4,166 youth, parents, and professionals in seminars and/or workshops.



Youth Services' Babysitter Training

E-Mail Sign Up: In an effort to inform youth and families of the services of Needham Youth Services, e-mail addresses from residents were accepted and information was sent regarding programs (to date our list-serve is many hundred and growing daily). To register for this free service, residents may send an e-mail complete with their name and years of birth of their children to: Needhamyouth@needhamma.gov or simply register online at www.needhamma.gov/youth/email.

Partnerships: Needham Youth Services received grants and/or donations from the following organizations: Needham Community Council, Tolman Trust Fund, Rotary Club of Needham, Domestic Violence Action Committee, Needham Women's Club, Middlesex Savings Bank, and many more local businesses, and private citizens.

Needham Youth Services devoted considerable time working with the larger community and over the past year collaborated with groups such as:

- Needham Domestic Violence Action Committee (DVAC)

- YMCA --- Charles River Branch
- Needham Business Association
- Needham Community Wellness Collaborative
- Needham Clergy Association
- Needham Public Library
- Needham Council on Aging
- Needham Park and Recreation
- Riverside Community Care
- Regional Center for Healthy Communities
- Needham Community Council
- Needham Coalition for Suicide Prevention
- Needham Public Schools
- School Health Advisory Council
- Olin College
- Avery Crossing
- Needham Metco
- Needham Housing Authority

Publications: Needham Youth Services created and/or distributed the following original publications in FY 2008 (all are available online at www.needhamma.gov/youthcommission)

- Needham Youth Card
- KIDS Survival Guide
- Parent Guide to Teen Parties
- Ask the Youth Commission
- Youth Source
- Information on Suicide
- Parenting Literature
- Making the Middle School Years Work
- Networks Book
- Safe Surf: Internet Safety for Middle School Youth and their Parents
- 2007/2008 Calendar (including over 50 articles for parents)

FISCAL YEAR 2009 STATISTICS

Needham Youth Services programs have grown in scope --- over a decade ago there was virtually no support for parents, and today there exists a range of parenting programs such as “Safe Surf: Internet Safety Parent Program” and “A Conversation...For Parents of Teens.” In addition, Needham Youth Services is servicing more of the community with no increase in staff. Over the past ten years, program usage by the community has skyrocketed; as an illustration of the growth of the department, below is a brief statistical comparison of two Youth Services programs over the past 3 years.

	Workshops/Training/Seminar Participants	Peer Tutor Program Hours
FY 2009	4166	1537
FY 2008	4052	1500

FY 2005	2633	1335
Percent Increase 2005-2008	57%	14%

Statistics are kept for all programs as well as at the conclusion of all programs, participants complete evaluations in an effort to assist the staff in understanding the impact and value of each program/service. Comprehensive statistical summaries for the past five years are available online at: www.needhamma.gov/youth/reports, and individual program evaluations may be obtained by contacting the Youth Services office. Finally, in the past year the department implemented a common set of statistical performance measures to better compare programs to each other as well as programs over the course of years.

◀ PUBLIC WORKS ▶

PUBLIC WORKS DEPARTMENT



Richard P. Merson, Director of Public Works

Anthony L. Del Gaizo, Town Engineer

Rhainhardt F. Hoyland, Highway Superintendent

*Mario E. Araya, Solid Waste & Recycling/Transfer
Station Superintendent*

Robert A. Lewis, Water & Sewer Superintendent

Lance M. Remsen, Parks & Forestry Superintendent

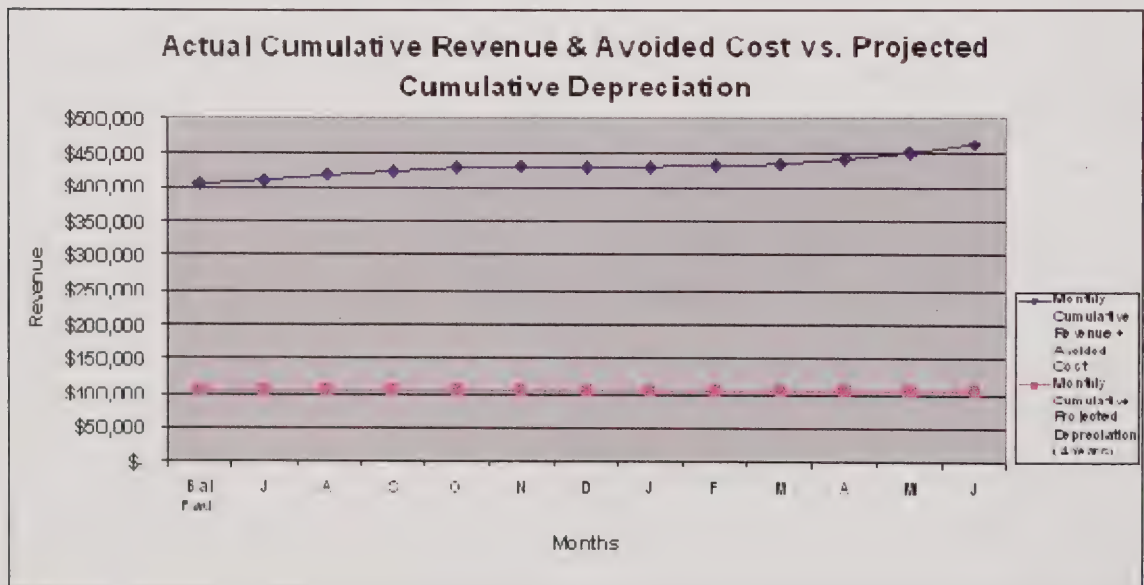
Steven J. Hawes, Garage & Equipment Supervisor

PURPOSE

The Department of Public Works promotes programs necessary for asset management and the preservation of infrastructure in order to provide for the health, safety, welfare, and convenience expected by the community for a high standard of living and good quality of life. The function of Public Works includes rendering services to all citizens in the areas of highway maintenance and construction; removing snow; supplying and distributing water; constructing and maintaining sewer and storm water; solid waste disposal and recycling; parks and forestry maintenance. The Department provides its own administration, engineering and equipment maintenance.

- Shipped 8268 tons of rubbish to Wheelabrator Millbury (Waste-to-Energy Plant).
- Recycled 58% out of the solid waste stream.
- Recycled 2944 tons newspaper and mixed paper, including phone books and magazines; 1104 tons of commingle, including glass, aluminum and tin cans, milk & juice cartons, plastic food & beverage containers with the recycling symbol #1-#3.
- Removed 674 tons of metal and 8 tons of tires from the waste stream.
- Removed 24 tons of paint, 11 tons of waste oil and anti-freeze from the waste stream.
- Goodwill & Red Cross received 159 tons of textiles.
- Composted 7277 tons of yard waste.

- Processed 8392 tons of DPW construction waste, e.g. from the replacement or repair of water, sewer & drain pipes, roads and sidewalks.
- Under the Department of Environmental Protection (DEP) waste ban mandate, removed from the waste stream 67 tons of Cathode Ray Tubes (CRT) in computer monitors & televisions, VCR's, rechargeable batteries (lithium & nicad), mercury thermostats & thermometers, and collected 56,825 linear feet of fluorescent light tubes, 100 lead acid batteries, 257 propane tanks, and performed 147 waste load inspections of vehicles on tipping floor.
- 8783 Disposal Area user stickers were purchased of which 8705 were residential & 78 were commercial.
- Established Paper Recycling Program at the Pollard School and 87 tons of paper was diverted from the waste stream.
- Held one successful Annual Household Hazardous Waste Collection Day & the November leaf Sundays Program.
- Town Meeting approved the Purchase of a Trommel Screener at \$110,000. In its 72 months of operation, the Trommel Screener processed materials (brush, grass & leaves) into organic compost and generated \$460,711 in revenue and avoided cost to the Town.
- Started the Wood Diversion Program to comply with DEP mandate, which went into effect June 1, 2006. For the 12 month period of FY 09, 348 tons of wood waste was diverted from the waste stream, saving the Town approximately \$14,094 in disposal cost.
- Town Meeting approved Purchase of Wood Grinder at \$149,734. In its 60 months of operation, the Wood Grinder generated \$36,370 in revenue as well as meeting the wood waste processing needs of the Town.
- The RTS has increased its miscellaneous revenue earnings target from \$42,500 in FY 04 to \$200,500 in FY 08. In FY08, the RTS attained miscellaneous revenue earnings of \$284,636. In FY09, the RTS has a miscellaneous revenue earnings target of \$214,716.



- Inspected 451 Street/Sidewalk Occupancy and Excavate permits.
- Proceed with the scheduled maintenance and repair of traffic signs, traffic markings and parking meters, and with the repair and update traffic signal equipment.
- Continue to improve the Snow & Ice Program to provide the best service to the Town through equipment upgrade, use of biodegradable anti-icing chemical, employee training and tactical improvements, and re-design of traditional snowplow routes.
- Completed the Water main Design for 16" water main Charles River Phase II.
- Completed the Water main Design for Chapel/Highland/May Street.
- Completed I/I sewer investigation for Richardson Drive.
- Completed I/I sewer investigation for Area 19.1.
- Completed Design for I/I sewer correction for area 16 and Lower 22.
- Completed construction for I/I sewer correction for area 2, 24 & Lower 21.
- Completed construction for the DeFazio Synthetic Track and Natural Turf Field Project.
- Completed the Construction of the Route 128 Water & Sewer Utility Relocation Project.
- Completed the Cleaning and Painting the Dunster Road Water Tank.
- Completed the sewer design for I/I corrections at Richardson Drive.
- Completed the Design for Great Plain Pump Station repairs.
- Continued the construction of the Great Plain Ave Pump Station repairs.
- Completed the construction of Phase I of the Charles River Road 14 inch Water main Relining Project.
- Completed the Water main construction for Garden, Kimball, and High Streets.
- Completed the construction of the Highland Ave/Rosemary traffic signals.
- Completed the construction of the Dedham Ave/Webster Street traffic signals.
- Completed the construction of the Central Ave. and Charles River Road intersection improvements.
- Completed the construction of the Chestnut Street roadway improvements.
- Responded to 258 Parks & Forestry Division work requests.
- Needham recognized as Tree City USA for 14th year.
- The 2009 Arbor Day activities included the planting of Apple trees with the students at Newman School.
- Sports Council continues the construction of new fields at Memorial Park and DeFazio Field, which was started in FY 2008, and is expected to be turned over to the Town in the Fall of 2009. Includes three natural grass 90ft diamonds, one natural grass multi-use fields, three synthetic multi-use fields and one synthetic 60ft diamond.
- A new 8 lane track at Defazio Field was opened in spring 2009.
- Synthetic Field Maintenance started in the spring of 2009. Field grooming is planned pre-season spring and fall and end of season spring and fall. Plus any spot grooming as needed.

Forestry:

Tree Removals and Stumping	Tree Pruning Hours	Roadside Brush Removal and Flail Mowing
FY07 = 59 trees	FY07 = 2,828 hrs	FY07 = 1,468 hrs
FY08 = 50 trees	FY08 = 2,944 hrs	FY08 = 1,056 hrs
FY09 = 45 trees	FY09 = 2,008 hrs	FY09 = 2,216 hrs

Tree Planting

FY07 = 100 Arbor Day seedling + 68 trees on streets and parks + nursery: 47 trees
FY08 = 100 Arbor Day seedling + 51 trees on streets and parks + nursery: 80 trees
FY09 = 800 Arbor Day seedling + 54 trees on streets and parks + nursery: 88 trees

Park and Recreation, Memorial Park, School Grounds:

Athletic Field Acres Fertilized

FY07 = Cricket Program + 3 applications on other fields
FY08 = Cricket Program + 2 applications on other fields (one appl. organic on 24 acres)
FY09 = Cricket Program + 2 applications

Athletic Field Acres Aerated

FY07 = 5.5 acres – (once), 27 acres – 2 applications, 4 acres – 3 applications
FY08 = 29.75 acres – (once), 7.25 acres - 4 applications
FY09 = 21.25 acres – (once), 2.5 acres – 2 applications, 7.5 acres – 4 applications

Over-seeding	Diamond Work	Mowing Hours
FY07 = 2 fields (once) + 7 fields (twice)	FY07 = 2,089 hrs	FY07 = 4,911 hrs
FY08 = 12 fields (once)	FY08 = 1,998 hrs	FY08 = 5,076 hrs
FY09 = 2 fields (three) + 2 fields (twice) +3 fields (once)	FY09 = 2,024 hrs	FY09 = 5,616 hrs

- Repaired 8 water pipe leaks, including 3 water main breaks and 5 water service leaks.
- Responded to 47 water emergency calls (after regular business hours).
- Replaced 907 out of 13,287 residential/municipal/condominium water meters, and replaced 12 out of 694 Commercial Water Meters.
- 139 Water service lines were replaced, including 6 lead-lined water service pipes.
- 15 new fire hydrants were installed.
- Successfully replaced 108 iron water service lines on 11 streets.
- Continue NPDES Program to remain compliant with EPA Memorandum of Agreement, including 17 catch basin replacement, inspect & clean drain system, replaced 3 drain manholes, and bi-annual street sweeping to prevent accumulations of debris in catch basins that drain into the Charles River Watershed.

- Replaced 1 Sewer Pumping Station pumps.
- Camera & Flushed 43,374 ft of sewer main and 6223 ft of drain lines.
- Rodded 1908 ft of sewer main and 823 ft of drain.

◀ PUBLIC FACILITIES ▶

PUBLIC FACILITIES DEPARTMENT - CONSTRUCTION

PERMANENT PUBLIC BUILDING COMMITTEE

John Connelly, Chairman

John Keene

George Kent, Vice Chair

Mark Presson

Joseph Carroll

Paul Salamone

Stuart Chandler

Irwin Silverstein

DEPARTMENT STAFF

Steven Popper, Director of Design & Construction

Marvin Blaylock, Project Manager

Tiffany Shaw, Resident Site Manager

Public Facilities Department – Construction Division

PURPOSE

The Permanent Public Building Committee ("PPBC") was formed in June 1996 with seven members who were appointed to be responsible for overseeing the construction, reconstruction, enlargement, or alteration to buildings owned by the Town or constructed on land owned, leased or operated by the Town having a total project cost of \$500,000.00 or more. The PPBC is responsible for working with the individual user agencies as the need for a project, and/or a feasibility study, becomes established.

In 1998 the Town hired a Building Construction and Renovation Manager to work on the projects. In 2006 this position was restructured and is now under the Public Facilities Department umbrella -Construction Division as the Director of Design and Construction. In April 2008 Marvin Blaylock was hired as Project Manager. In January 2009 Tiffany Shaw was hired as Resident Site Manager.

In December 2008 John Connelly stepped down from the Committee after being on the committee since its inception in July 1996 and Chairman since 1998. George Kent became Chairman in January 2009.

FY 2009 HIGHLIGHTS

The following is a summary of completed or ongoing projects the PPBC has supervised during the 2009 fiscal year (July 2008 to June 2009). These projects were initiated during the period of 2003 through 2009 fiscal years.

<u>Name:</u>	High School Renovation & Addition
<u>Project Status:</u>	Ongoing
<u>Authorization:</u>	\$51,300,000
<u>Override:</u>	\$10,700,000 (April 2005)

Total Budget: \$62,000,000
Budget Status: On Budget
Architect: Drummey, Rosanne & Anderson, Inc.
Contractor: TLT Construction Corp.
Project Mgr.: Gilbane Building Company

This design and construction project involves the rebuilding and renovation of 280,080 square feet of educational space at the current location of the High School over a four and a half-year construction period which began in the summer of 2004 with a rebuild of the existing parking lot expanding on the number of spaces in anticipation of the general construction work. The project began with a Town override vote for appropriation in October of 2003. Approximately 65% of the space will be new construction replacing sections of the 1950 and 1960 additions to the High School which will be demolished. Retaining the original building is an integral part of the plan. Students will be phased into the new facility as the staged construction becomes complete. Design was completed in October 2004 and a construction contract was placed in December 2004. Phase 0 (rework of exterior parts of the site, including increasing the number of parking spaces) was completed in September 2004 in advance of placing the general contract. Project completion occurred in the spring of 2009.

On November 17, 2004, the general contractor bids were received. Due primarily to the inflation of building material costs, difficult site conditions and anticipated issues in the 1930 portion of the building, the cost of the project was projected to increase by \$10.7 million. After approval of Article 1 at the Special Town Meeting on February 7, 2005, an override in the amount of \$10,700,000 was brought before the Town voters in April 2005 for a town wide vote. The override passed. The contractor, TLT Construction, started work on Phase 1, the new classroom wing, in December 2004 and completed work on this phase, allowing approximately 2/3 of the “new” added space to be occupied, in September 2006. The project was planned to take place over five separate phases, including the initial Phase 0.

Phase 2 (demolition of the math/science wing and construction of the remaining “new” academic space including the new cafeteria) commenced on June 21, 2006 and was substantially complete in June 2007. The new space was occupied by the school in September of 2007.

Phase 3 (renovation of the original 1930 building and construction of the new gymnasium) started June 25, 2007, with an anticipated completion date of January 2008. Due primarily to unforeseen conditions within the original building structure and additional abatement the actual completion date of this phase extended in to February 2008.

Phase 4 (demolition of existing buildings, renovation and reconstruction for Webster Street bus loop) began in February 2008 with a contract completion date of September 2008. Due in part to the late turnover of Phase 3 and working within an occupied school, Phase 4 was delayed and has proceeded to be turned over in sub-phases. All areas necessary for school operations were complete by March 2009 with completion of punch list items extending through summer 2009.

Name: **High Rock School 6th Grade Center Renovation & Repair**
Project Status: Ongoing
Authorization: \$ 19,995,000.00
Budget Status: On Budget
Architect: DiNisco Design Partnership
Contractor: G&R Construction Inc.
Project Mgr.: Daedalus Projects Inc.

Design Funds for the project were approved at the November 1, 2006 Special Town Meeting. At the 2007 Annual Town Meeting, Article 41: Renovation & Repair of High Rock Elementary School and Pollard Middle School Electrical & Technology Upgrade was approved. The High Rock School portion is for design, engineering, constructing, remodeling, reconstructing and making extraordinary repairs to the school to create a 6th Grade Center.

Construction on the High Rock project started in February 2008. Substantial completion is expected in August 2009. The building should be ready to receive students on September 2, 2009 for start of the 2009/2010 school year.

The Pollard Middle School Electrical and Technology Upgrade was completed during the 2007 summer with all designated areas receiving digital projectors and infrastructure for smart board installation.

Name: **Town Hall Renovation**
Project Status: Ongoing
Authorization: \$19,155,746.00
Budget Status: On Budget
Architect: McGinley Kalsow & Associates, Inc.

At the 2008 Annual Town Meeting, Article 25: Appropriate for CPA-Town Hall Historic Preservation Design was approved. Design of the Town Hall was awarded through design selection to McGinley Kalsow & Associates of Cambridge, MA. Work is currently underway for the design of Alternate 4 – an alternative option approved by the Board of Selectmen and stemming from review of the second floor Meeting Hall options available to the Town and recommendations made by the Town Hall Study Committee formed as a result of the 2008 May Annual Town Meeting.

Authorization of construction funds in the amount of \$18.155 million occurred at the Annual Town Meeting in May 2009 with the approval of Article 35. Construction documents are being prepared and the project is scheduled to go out to bid in November 2009. Construction is anticipated to start in March of 2010. The Town Hall staff is scheduled to move into the Public Services Administrative Building at 500 Dedham Avenue in February of 2010.

Name: **Public Services Administrative Building**
Project Status: Ongoing
Authorization: \$6,225,000.00
Budget Status: On Budget

Architect: Winter Street Architects
Contractor: Seaver Construction, Inc.

At the 2008 Annual Town Meeting, Article 33: Appropriate for Administration Building at DPW Complex design funds for the Public Services Administration Building were approved. Design of the Facility was awarded through design selection to Winter Street Architects of Salem, MA. The facility will be used as swing space for Town Hall during its renovation.

Authorization of construction funds occurred at the Special Town Meeting in October 2008 with the approval of Article 5. Construction is underway with anticipated substantial completion in December 2009. The Town Hall staff is scheduled to move into the Public Services Administrative Building in February of 2010.

Name: **Newman Elementary School HVAC**
Project Status: Complete
Authorization: \$350,000.00
Budget Status: On Budget
Architect: Drummey, Rosanne & Anderson, Inc.

During calendar year 2008 conditions at the Newman School deteriorated within the Heating and Ventilation distribution system to the extent that a major investigation and mitigation effort was initiated in order to allow use of the facility through the remainder of the school year and apply temporary remediation measures such that the facility could be occupied and used during the 2008-2009 school year.

In conjunction with the above Newman School HVAC, a Heating and Ventilation study was initiated through the May 2008 Special Town Meeting Article 3: Appropriate for Facility Repairs/Newman School that was approved. The study was awarded through design selection to Drummey, Rosanne & Anderson, Inc. The study is directed at understanding the variables associated with a permanent fix to the conditions found and reviewing aspects related to construction phasing and temporary relocation of students during the time of upgrades.

Name: **Newman Elementary School Feasibility Study**
Project Status: Ongoing
Authorization: \$450,000.00
Budget Status: On Budget
Architect: Drummey, Rosanne & Anderson, Inc.

At the May 2009 Special Town meeting Article 3: Appropriate for Facility Repairs/Newman School was approved in the amount of \$450,000.00 for feasibility, design and engineering services related to extraordinary repair of the Newman School.

As a result of this effort, which culminated in a Feasibility/Schematic Design Report submitted to the Massachusetts School Building Authority (MSBA), the Town was granted an \$8.6 million

offsetting funding appropriation by MSBA if the Town votes to proceed with the Newman School Repair Project.

Name: Newman Elementary School Repair
Project Status: Ongoing
Architect: Drummey, Rosanne & Anderson, Inc.

Pending Town vote approval.

Upcoming future projects may be a Senior Center, the Pollard Auditorium Roof and various upgrades, and possibly the Reservoir B pump station. The PPBC is challenged by the enormously important and complex projects that have been appropriated by the Town. Successful execution of these projects is essential to successfully integrate these projects within the Town's infrastructure.

PUBLIC FACILITIES DEPARTMENT - OPERATIONS

Chip Laffey, Director of Facility Operations

Paul Comerford, Supervisor of Custodial Services

Carys Lustig, Administrative Analyst

Carolina Faricelli, Administrative Specialist

PURPOSE

The Public Facilities Department, Operations Division identifies, plans for, coordinates, and executes routine daily maintenance and custodial care of all Town buildings. In addition, the Department formulates long-range building related capital needs, including cost estimates and feasibility assessments, for planning purposes.

The spring 2006 Annual Town Meeting created the Department of Public Facilities under the direction of the Town Manager. The new department was preceded by the Municipal Building Maintenance Board which had been in existence since 1995.

Buildings cared for and maintained by the Public Facilities Department include: Town Hall, Public Safety Building, Fire Station #2, Public Library, DPW Main Building, Charles River Water Treatment Facility, Ridge Hill Reservation (three buildings), Carleton Pavilion, Stephen Palmer Building (Council on Aging), Memorial Park Fieldhouse, Needham High School, Pollard Middle School, Newman Elementary School, Broadmeadow Elementary School, Eliot Elementary School, Mitchell Elementary School, Hillside Elementary School, High Rock School building, Emery Grover School Administration Building, and the Daley Maintenance Building.

FY2009 HIGHLIGHTS

For FY 2009 the priorities of the department were to establish better operating procedures, staff the Department to suit the best interest of the Town, begin systematically upgrading the older buildings in Town to make them more energy efficient, and to establish a preventative maintenance program.

The major highlights include:

- Public Facilities Office
 - * Established a new work order system with carbon copy work orders that are generated by the Building Managers and Sr. Custodians of each major facility
 - * Began transitioning new trades employees from day to 2nd shift to better perform tasks throughout the Town
 - * Implemented programming changes throughout the Town to the heating/cooling system in all new buildings including stagger starts and night setbacks
- Town Hall
 - * Created new office in Planning Department
 - * Created new office for Assistant Town Manager of Operations
 - * Installed Rentar fuel catalyst unit after Hillside test
- Ridge Hill
 - * Provided comprehensive list of all repairs required to return Main Building to operation
 - * Installed Rentar fuel catalyst unit after Hillside test
- Daley Building
 - * Installed Rentar fuel catalyst unit after Hillside test
- Broadmeadow
 - * Installed new air conditioning in Education Technology Center
- Eliot
 - * Installed new VCT tile in main entrance.
- Hillside
 - * Began sealing up exterior air leaks to improve energy efficiency of building
 - * Installed Rentar fuel catalyst unit as test of ability to improve oil consumption, reduced consumption by approx. 10%
- Mitchell
 - * Began upgrade of heating controls, transition from pneumatic to digital for better heat distribution and energy efficiency
 - * Began sealing up exterior air leaks to improve energy efficiency of building
 - * Installed Rentar fuel catalyst unit after Hillside test.
 - * Installed walk-in freezer
 - * Applied for and installed low flow toilets through the MWRA Low Flow Toilet Grant
- Newman
 - * Performed asbestos abatement and tile installation throughout building as required
 - * Addressed temporary HVAC issues
 - * Addressed fuel oil underground storage tanks integrity issues
 - * Installed two temporary above ground fuel oil tanks
 - * Scoped and cleaned duct work
 - * Installed Rentar fuel catalyst unit after Hillside test
 - * Upgraded server rooms

- Pollard
 - * Performed asbestos abatement
 - * Removed and reinstalled table and chair fixtures in Lecture Hall
 - * Installed Rentar fuel catalyst unit after Hillside test
- NHS
 - * Worked on new HVAC system to ensure smooth operation once the system was turned over to the Department
 - * Replaced bubbler heads in entire school, as were removed.
 - * Fixed corridor heat valve problem in A and B building
 - * Installed Lutron system to remotely control outdoor lighting
- High Rock
- Emery Grover
 - * Installed Rentar fuel catalyst unit after Hillside test.
- DPW
 - * Began project of upgrading Dedham Ave Pump Station so that it is fully usable while PSAB is in operation
 - * Installed heater at Charles River Treatment Plant
 - * Sealed HVAC unit to prevent leakage in Main Building by disassembling and caulking panels, added curb flashing around front of unit and rear of unit
 - * Installed Rentar fuel catalyst unit after Hillside test
- Senior Center
- Library
 - * Replaced handicapped door operator

FY2009 GOALS

- Successfully implementing new software for Work Orders, Events Scheduling, Preventative Maintenance, Asset Management, and Utility Tracking
- Assist the Town and Schools in achieving their target of a 5% energy reduction
- Redraft the Town's regulation concerning Afterhours School Scheduling to be more reflective of current practices and costs

◀ COMMUNITY SERVICES ▶

NEEDHAM COMMISSION ON DISABILITIES

Elaine Saunders, co-chair
Jeanie Martin, co-chair
Susan Crowell, Secretary
Susan Rains
Andy Wise
Dale Wise

Beverly Foster
Debbi Heller
Karen Peirce
Patrice Shellings, Liason from School Committee
Paul Spooner, Consultant from MetroWest Center for
Independent Living

The Needham Commission on Disabilities (NCOD) meets on the third Tuesday of the month with the following membership: 9 members; a majority of whom are disabled; one of whom

must be a family member of a person with a disability; and one of whom must be an appointed municipal official, and other interested Needham residents.

PURPOSE

- To advise municipal officials, public and private agencies, and other individuals to ensure compliance with federal, state and local disability laws.
- To promote full integration of persons with disabilities into the community.
- To provide information, referrals, and technical assistance to individuals, businesses and organizations in all matters pertaining to disability issues.
- To participate in a variety of forums and media events to develop public awareness of persons with disabilities, and compliance with the Americans with Disabilities Act (ADA).
- To award grants to community based organizations that increase awareness of and educate persons about disabilities, and that help persons with disabilities participate more fully in programs and activities in Needham

The NCOD had an annual budget of \$550. In FY 2009, a total of \$330 was used to purchase a plaque for a retiring member (\$81) and an accessible survey tool kit (\$249).

Funds accrued from Handicapped parking fines were used to provide grants to individuals and organizations for materials and programs relating to people with disabilities.

Newman PTC	Unseen Borders Program	\$600.00
Eliot PTC	Unseen Borders Program	\$300.00
Hillside PTC	Unseen Borders Program	\$300.00
Council on Aging	Zoom Text 9.1 Computer Software	\$600.00
	Total	\$1,800.00

FY 2009 HIGHLIGHTS

- Participated in a walkthrough of Needham High School and the High Rock School to determine if they are in compliance with Architectural Access Board (AAB) and ADA codes and noted areas needing attention.
- Met with architects regarding the proposed renovation of Needham Town Hall and gave input regarding accessibility issues and requests for variances.
- Received and reviewed documents from the Massachusetts Architectural Access Board and the Department of Public Safety regarding rulings on code violations and variance requests at the First Parish Needham, the Needham Sheraton and other sites in Needham.
- Worked in conjunction with the Metro West Center for Independent Living in Framingham on all legal and technical matters pertaining to the disabled.
- Advised town officials and local businesses regarding the number and dimensions of handicapped parking spaces and of proper signage required for HP spaces in order to ensure compliance with ADA and the AAB regulations. Filed complaints with the Department of Justice to address handicapped parking violations in a variety of sites in Needham.

- Continued to make available handicapped parking signs that comply with state regulations and town by-laws at a reduced cost to Needham businesses and town departments.
- Maintained a force of trained volunteers that assist the Needham Police by taking photographs of violators of handicapped parking regulations.
- Contacted Needham Police about problems of snow removal in handicapped parking spaces.
- Continued to award grants to individuals and organizations for materials and programs relating to persons with disabilities. (Funds made available from handicapped parking fines.)
- Developed and finalized the Town of Needham Transitional Plan and presented it to the Needham Town Manager.
- Distributed an updated NCOD brochure which is available at various town sites and is included in a welcoming packet for Needham newcomers.
- Contacted Needham Town Clerk to discuss issues of access at polling places in Needham.
- Contacted the Needham School Department and PPBC regarding problems related to availability of a lift key for public performances and appropriate signage at Needham High School.
- Sponsored weekly presentations on the Needham Cable Channel of the Ablevision program by Project Triangle, which highlights accomplishments of persons with disabilities.
- Met with a local private agency which provides homecare to the elderly and the disabled.
- Met with a representative from the Needham Planning Office to discuss accessibility issues and transportation needs at public housing sites in Needham.
- Met with a Needham Selectman to be informed about proposed building sites for a new Senior Center.
- An NCOD member made presentations regarding disability issues to the Needham Rotary Club and at a National Spinal Cord Association fundraiser.
- Remained informed about regulations and issues concerning people with disabilities through subscriptions to publications, newsletters and through the public media.

FY 2009 FORECAST/GOALS

- To continue to work with the School Administration, the liaison to the School Committee, MBMB, PPBC and the Park and Recreation Department in an advisory capacity to ensure compliance with AAB and ADA building codes at schools, playgrounds and other municipal buildings as they are renovated. Emphasis will be placed on ensuring accessibility for the new construction and renovation at the high school and High Rock School.
- To work with Needham Public Housing and its residents to provide a safe environment and accessibility compliance including ramps, railings, entrances and lighting.
- To complete the Town of Needham Transitional Plan toward compliance for all departments on issues of accessibility

- To continue to inform non-compliant business property owners, including medical office buildings, of regulations regarding proper handicapped parking signage and offer properly worded handicapped parking signs to public and private organizations and businesses at a reduced cost.
- To enforce proper usage of handicapped parking spaces through a program that tickets violators, in conjunction with the Needham Police.
- To utilize funds accrued from handicapped parking fines for the specific benefit of the disabled community through the issuing of grants.
- To continue to work with town officials to bring the Town of Needham into compliance with state and federal regulations regarding all accessibility issues.
- To continue to distribute the NCOD brochure.
- To dispense information and to serve as a resource to individuals in the Town of Needham on issues relating to the disabled.
- To continue to facilitate registration of persons with disabilities in the Enhanced 911 program and Emergency Management Program, in conjunction with Needham Town Hall and the Needham Police.
- To encourage Needham citizens to participate in NCOD meetings, which are publicly posted.
- To promote filling the current vacancy position.

For further information about the Needham Commission on Disabilities, and in particular about serving on the commission, please call NCOD at (781) 455-7500.

COMMUNITY PRESERVATION COMMITTEE

Paul Siegenthaler, Chairman
Jane Howard, Vice Chairman
Janet Bernardo
Jack Cogswell
Sheila Pransky

John Comando
Bruce Eisenhut
Mark Gluesing
Brian Nadler

DEPARTMENT STAFF
Patricia Carey, Staff Liaison
Nicole DiCicco, Recording Secretary

PURPOSE

Massachusetts General Law (M.G.L.) Chapter 267 of the Acts of 2000, Section 2, defines community preservation as “the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic structures and landscapes and the creation and preservation of community housing.” Needham voted to accept the legislation in November 2004. The Community Preservation Committee is appointed to make recommendations for use of the Community Preservation Fund

FY 2009 HIGHLIGHTS

- The Needham Community Preservation Fund received its state distribution of \$888,287 from the Commonwealth in October 2008, a 67.62% match to Needham’s surcharge. It was also announced that the next annual distribution would be made in October 2009 but would be a 35% match.

- The Committee met with representatives of the Community Preservation Coalition to get guidance on determining the percentage of funding for the historic preservation of Town Hall.
- The Committee held a public meeting in March, 2009, to gather public input on the proposals under review for funding.
- At the May, 2009 Annual Town Meeting, the Committee recommended and Town Meeting approved the funding of the following proposals:

\$18,155,746	Selectmen/Town Manager	Town Hall Historic Preservation
\$ 25,000	Town Manager	Affordable Housing Consulting Assistance
\$ 25,000	Town Manager	Easement Research
\$ 25,000	Charles River ARC	Group Home Energy Improvements
\$ 25,000	Housing Authority	High Rock Homes
\$ 50,000	Conservation Commission	Transfer to Conservation Fund

- According to the Community Preservation Coalition, the funding and bonding of the Town Hall project is the largest bonded project in the history of CPA in Massachusetts.
- In addition to funding the proposals, and as required by the state legislation, funds were spent or put in reserve for Historic Resources, Community Housing, and Open Space. Remaining funds, totaling \$529,880, were placed in the Annual Reserve, for future projects in those categories or Recreation. Five percent of the revenue was put into the CPA Administrative budget.

Statistics

- The Community Preservation Fund has provided financial support to eighteen projects, with a total of \$20,070,446.

Affordable Housing total	\$ 574,500
Open Space total	\$ 223,200
Historic Preservation total	\$ 19,230,746
Recreation total	\$ 42,000

GOLF COURSE ADVISORY COMMITTEE



Jane Howard, Chairman
Jonathan Bean
Roy A. Cramer
Michael Mahoney.
Robert J. Moore, Jr.
Richard Reilly
Jon D. Schneider

PURPOSE

The Golf Club Advisory Committee is appointed by the Selectmen to act as a liaison between the Needham Golf Club and the Board of Selectmen. The Committee monitors Club operations to ensure that the Club is operated in accordance with the terms of the lease with the Town. The Committee also provides a forum for residents to obtain information about the operation of the Club and to resolve any disputes with the Club. The Committee reports to the Board of Selectmen.

The Needham Golf Club is a private non-profit corporation organized in 1923. The Club operates a 9 hole golf course designed by a disciple of Donald Ross. The Club owns approximately 6.7 acres of land fronting on Green Street. The club house, parking lot and ninth green are on land owned by the Club. The remainder of the golf course is on approximately 58.8 acres of land leased from the Town.

The current lease, approved by Town Meeting in 2008, expires on April 30, 2029, but is subject to the right of the Town to terminate the lease at any time upon action by the Town Meeting.

Under the terms of the lease, residents have the right to use the golf course on Tuesdays and after 3:00 on Sundays and Mondays with payment of the green fees that members of the Club must pay for guests. In addition, the Club accommodates the Needham High School Golf Team and allows use of the premises for winter sports. The lease imposes various restrictions on membership including a requirement that 90% of new members must be residents of Needham.

The Committee meets prior to the beginning of the golf season and at the end of the season. The Committee holds special meetings if matters arise at other times.

FY 2009 HIGHLIGHTS

At the meeting held on December 1, 2008, the Club President, Tony Cuozzo, reported on resident play for the 2008 season indicating that 1088 rounds of 9 holes were played by non-member residents plus 459 rounds of play by the Park and Recreation Senior League Spring session and 344 rounds of play by the Park and Recreation Senior League Fall Session: residents who play on Tuesdays during the season. He reported that capital improvements for the Club remain under discussion among the members.

At a meeting held on April 2, 2009, Club President, Tony Cuozzo, reported that since there was no waiting list, the Club had appealed to the Town Manager to waive section 9.1 and 9.2 of the current lease in order to allow more non-residents to join since the resident list had been exhausted. The request was approved. He further stated that there would be no change in the rules or fees for resident play for the 2009 season.

FY 2010 FORECAST

The Committee will continue to monitor the operations of the Needham Golf Club as they pertain to the lease and will meet biannually as scheduled or more often if necessary. Residents are welcome to contact the Committee at any time with issues or concerns.

NEEDHAM HISTORICAL COMMISSION

Carol J. Boulris, Chairman
John H. Cogswell
Gloria P. Greis, Ph.D.
Robert Hall

Richard Hardy
Joel H. Lebow
Sandra B. Tobin

FY 2009 HIGHLIGHTS

- Participated in Town Hall summit meeting to discuss renovations of this National Register building.
- Sandra Tobin named our representative to the Community Preservation Committee. On her resignation, Jack Cogswell became our representative.
- The Rev. Cary Young resigned from the Commission; Joel Lebow was appointed.
- The Commission voted to support Option 4 for Town Hall restoration, believing that this plan satisfies present and future needs, is compatible in design with the original structure and restores major historical features of the building.
- The Heritage Project continues to add 45 additional houses to our local inventory of historic structures and provide preservation information to owners of historic properties.
- The Commission was stunned to learn that the Zoning Board of Appeals waived the right of the Commission to review the demolition of the 1868 Sarah Avery House, 797 Great Plain Avenue, under Chapter 40B law.
- At May Town Meeting, presented Raymond Bosworth Awards for Excellence in Historic Preservation to owners of the Nutter-Twigg House on Webster Street and the Thorpe-Gorse Mill, Thorpe Road, which was renovated into artists' studios.
- Met with owners of 220 Nehoiden Street and their architect RE renovation of this property. Approved their plan to demolish 19th Century ell and place an addition at the rear of house, with original 1754 section to remain in restoration.

NEEDHAM FREE PUBLIC LIBRARY

BOARD OF TRUSTEES

Margaret L. Pantridge, Chair
Rose A. Doherty
Sally B. Powers
Lois C. Bacon

Thomas M. Harkins
Gregory J. Shesko
Lois F. Sockol

The Board of Library Trustees derives its authority from Massachusetts General Laws, Chapter 78, Sections 10 and 11, and the Needham Town Charter Part 3, Section 19. The Board of Library Trustees has adopted the following Vision and Mission Statements.



VISION STATEMENT

The Needham Free Public Library will be an integral entity and a dynamic hub for everyone needing access to materials and information to support educational, intellectual, recreational, and cultural needs. The library will provide opportunities for individuals to develop independent learning and research skills, utilizing a variety of media, in a gathering place designed for people of all ages and abilities. The library will provide free services and information to all, delivered with personalized responsiveness to individual needs.

MISSION STATEMENT

The Needham Free Public Library is committed to utilizing its resources and personnel to:

- Promote personal and professional growth opportunities;
- Provide answers to residents' questions on a broad array of topics relating to work, school, and personal life;
- Satisfy residents' need for information on popular cultural and social trends and recreational reading, listening, and viewing materials;
- Foster an open environment for community interaction and public discourse.

LIBRARY STAFF

Ann C. MacFate, Director
Nancy B. D'Amico, Assistant Director
April E. Asquith, Reference Supervisor
Susan M. Park, Technical Services Supervisor
Janet E. Prague, Children's Supervisor
Susan B. Priver, Technology Specialist/Archivist
Anna Kijas-Masterson, Children's Librarian
Cynthia G. Crawford, Circulation Supervisor
Carolyn S. Davis, Library Assistant
Gay Ellen Dennett, Reference Librarian
/Program Specialist
Karen H. Donaghey, Library Assistant
Cheryl A. Steeves, Administrative Specialist
Catherine D. Stetson, Reference Librarian
/AV Specialist
Margaret Aldrich, Assistant Children's Librarian
Jean F. Kirkham, Assistant Cataloger

PART-TIME REFERENCE STAFF

Jeffrey R. Arnold
Mary H. Conlon
Leigh R. Hoffman
Rebecca L. Kinney
Danielle Tawa

PART-TIME CHILDREN'S STAFF

Kerri O. Brosnan
Bethany N. Templeton

PART-TIME LIBRARY ASSISTANTS

Sandra J. Bedigan
Annalisa Bishop
Lu-Ann M. Caron-Leslie
Patricia H. Dunn
Katherine F. Higgins
Judith G. Johnson
Irene L. Kamergorodsky
Janet S. Krawiecki
Lois E. Litwack-Klein
Martieanne Marinelli
Kathleen M. McIntyre
Rebecca L. Meyer
Fay J. Phillips
Ellen A. Porter
James K. Westen

CUSTODIAL STAFF

Angel R. Lopez
Raymond B. Cranton
Howard R. Egerton

FY 2009 HIGHLIGHTS

July:

The library's Book Cart Drill Team made a second successful appearance in the Fourth of July Parade. Once again, the group was a thundering success. Following a long, dark absence and

with thanks to the Public Facilities' employees, the library's clock tower was lighted. The Minuteman Library Network instituted a new governance framework. The Federal Emergency Management Agency certified the library as a qualified location for a Disaster Recovery Center. The trustees authorized the Trust Fund purchase of a library membership to the Institute of Contemporary Art.

August:

324 children registered for the Summer Reading Program

September:

Due to an increase in both news and activities, the library's monthly publication, *Library Notes*, changed its format. Thanks to funding from the Friends of the Library, the newsletter was able to change from a double-sided, single page, black print format to a four-page glossy, color publication. The library's two book groups resumed their monthly meetings. Internationally known author Robin Cook appeared in the Community Room of the library and discussed his New book, *Foreign Body*.

October:

The Friends of the Library held its 36th Annual Fall Book Sale. The Library Foundation of Needham held its First Annual Gala, *Black, White, and Read All Over*. The evening was an overwhelming success. The Metrowest Regional Library System reported that Needham's benefit from the inter-library delivery system was \$319,883.

November:

An evaluation of the Museum Pass Reservation Software revealed that it is cost-effective, as an average of 47% of museum pass users were using the Town website and placing their own reservations.

December:

The Massachusetts Board of Library Commissioners certified the Needham Free Public Library, making it eligible for a \$38,809 State Aid Award. The library sponsored two movies and two magic shows, as part of the New Years' Needham celebration. More than 470 people attended these events on a snowy afternoon and evening.

March:

The Minuteman Library Network celebrated its 25th anniversary. The Needham High School Art Department and Temple Beth Shalom Garden Club joined forces to present "Art in Bloom," a floral interpretation of student art work.

April:

The library monthly newsletter, *Library Notes*, became available electronically through the Town's website. Newsletter availability notification was also made available. The library introduced Playaways, a self-playing digital audio book. The library spelling team repeated last year's first place finish in the Needham Education Foundation's 18th Annual Spelling Bee.

May:

Recruited, trained and implemented a Circulation Desk Volunteer Program. The U.S. Green Building Council awarded LEED (Leadership in Energy and Environmental Design) Certification to the library.

June:

For the fourth year in a row library circulation increased over the previous year FY 2009 circulation increased 13.6% over FY08. The 560,236 checkouts set a new circulation record. The Community Room was used 602 times during the fiscal year, and the Study Rooms were used 2,310 times.

FY 2010 FORECAST

Several changes will be made to the Children's Room which will improve the room's ambience. Library business in general and circulation of materials in particular will continue to grow. After breaking the circulation count of 500,000 in FY09, the library will set a new circulation record of 600,000 in FY10.

DONATIONS TO THE LIBRARY

During FY09 sixty-two people volunteered 1,538 hours of service to the library. Volunteers mended the library's books, dusted and straightened the library's shelves, and put returned materials back on the shelves. In addition, the Library Trustees and Friends of the Library worked many hours presenting programs, book sales, and other special events. The Friends of the Library donated more than \$36,000 to the library during the fiscal year. This includes both cash gifts and direct payments for items. Friends' donations paid for subscriptions to international magazines, museum passes, library programs, reference books, computer books, books-on-CD, DVDs, children's books, travel books, law books, business books, sports books, and the initial purchases for the new Playaway Collection. The Needham Garden Club supplied weekly flower and plant arrangements for the library's lobby and purchased the pass to the Garden in the Woods. The Lions' Club donated funds for the purchase of books for the library's Large Print Collection. The Quinobequin Quilters provided the library with a pass to the Quilt Museum. The Massachusetts Department of Conservation and Recreation gave the library a Massachusetts ParksPass to the State's parks. The Library Foundation of Needham provided funds for many of the library's programs, purchased a pass to the Danforth Museum, and paid for the online database *Testing and Educational Reference Center*. Other clubs, groups, organizations, companies, and individuals who made significant donations to the library in FY08 include:

Project VAN (Volunteers Around Needham)
Needham High School Community Classroom Program
Guatemala Committee, Congregational Church of Needham
The Lebensfeld Foundation

Thank you to the many individuals who displayed their paintings and pictures in the Friends' Gallery and showed their handicraft work in the library's display cases. You provided everyone with a visual feast. Thank you also to the many individuals who made memorial and honoring donations to the library during FY09. The Trustees and staff are grateful to everyone who made

a donation to the library. You enrich the library's collections, as well as the lives of the people of Needham.

	FY2007	FY2008	FY2009
Memorials and Cash Donations	\$55,652	\$38,519	\$53,165
<i>Value of books, videos, etc. donated</i>	<i>\$11,534</i>	<i>\$11,443</i>	<i>\$16,714</i>

DEPARTMENTAL STATISTICS:

	FY2007	FY2008	FY2009
Adult Department			
Circulation (books, videos, DVDs, CDs, cassettes, periodicals)	276,556	293,682	325,484
Items loaned to other libraries	31,138	37,210	49,489
Items borrowed from other libraries	45,870	47,125	56,798
Overdue notices and bills sent	1,230	1,145	1,008
Reserves placed	4,399	4,962	5,872
Total money returned to Town from fines, fees, lost books, etc.	\$64,683.84	\$53,780.27	\$56,409.49

Reference Department

Reference questions answered	22,951	20,351	22,243
Directional questions answered	3,754	4,073	3,350
Number of people using Genealogy Room	173	167	163
Number of people using Study Rooms	2,742	3,071	3,815
Remote Access	127,388	200,884	295,505

Children's Department

Circulation (books, videos, DVDs, CDs, cassettes, periodicals)	187,299	199,388	234,752
Reference questions answered	11,485	15,309	18,083
Overdue notices and bills sent	743	852	750
Story times and other programs	152	192	321
Attendance at programs	5,587	7,725	11,262

Catalog Department

Adult books added to collection	6,069	6,768	6,991
Adult books withdrawn	4,844	4,885	10,197
Children's books added to collection	2,793	4,853	4,688
Children's books withdrawn	645	926	1,372
Audio items added	959	1,039	1,025
Audio items withdrawn	346	359	417
Video items added	1,496	1,757	1,885
Video items withdrawn	832	736	679
Total Collection	146,673	154,196	156,169

MISCELLANEOUS STATISTICS

Number of registered borrowers	16,675	17,843	18,537
Total hours open	3,117.5	3,336.5	3,374.5
Attendance	289,643	307,890	349,763

NEEDHAM HOUSING AUTHORITY

Robert Stegman, Chairman

Peter Pingetore, Vice Chair

Cheryl Gosmon, Commissioner

Sheila Pransky, Commissioner

Reginald Foster, Commissioner

The Needham Housing Authority provides income-based rental units to the elderly, disabled and families. The Authority administers a number of federal and state housing programs under the oversight of a five member Board of Commissioners all of whom are residents of Needham. Four of the Commissioners are elected by the Town and one Commissioner is appointed by the Governor.

The Needham Housing Authority owns and/or operates 456 units of affordable housing for the elderly, disabled, and families. The Authority's portfolio includes 152 one-bedroom apartments under state programs; forty-six one-bedroom apartments under federal programs for senior citizens and disabled individuals of any age; sixty units of state funded Veterans' family housing; and thirty units of federal family housing. Additionally, the Authority maintains a staffed single-family house under the State's Chapter 689 program serving eight individuals with special needs and is assigned 120 Section 8 vouchers and certificates. Finally, in 2009, the Authority completed the construction of 20 affordable, homeownership, townhouse condominium units; as well as 20 project-based Section 8 funded townhouse rental units within the town of Needham.

BUDGETARY DATA

The Needham Housing Authority maintains separate budgets for each program it administers and is not part of the Town's budget. The majority of the Authority's funding is derived from rent collected from its tenants. The Authority's annual budget is public record and is available for review in its office. The Authority employs or supervises nine full-time administrative staff and five full-time maintenance staff.

FY 2009 HIGHLIGHTS

The demolition and reconstruction of 20 single family housing units within the High Rock Homes development was completed. In their place, 20 duplex townhouse buildings were constructed. Each of the duplex buildings contains either 2 new rental or 2 new homeownership units. The rental and homeownership units have been intermingled and are similar in appearance, size and amenities. The homeownership units have been designated for families with incomes less than 80% of the area median income. Selection of the owners was done through a lottery system which was conducted by the Needham Housing Authority in mid-2007. At this time, 18 of the 20 homeownership units have been sold to qualified low or moderate income families.

The Needham Housing Authority is in its ninth year of a Management Agreement with the Wellesley Housing Authority and provides administrative staffing and maintenance oversight of

Wellesley's state public housing under the direction of the Wellesley Housing Authority Board of Commissioners. The partnership continues to be beneficial to both agencies.

The Needham Housing Authority continues its commitment to residents by encouraging strong tenant representation and striving to improve communication between residents and staff. In 2009, the NHA began the process of organizing tenant elections in an effort to re-establish the active, involved, tenant organizations necessary to provide representation and advocacy for the Needham Housing Authority resident community.

The Care Connections program at the Linden-Chambers senior housing complex continues to be a support for seniors who need a little extra assistance to remain living independently. The program is a cooperative venture with Springwell and the Needham Housing Authority and both groups are committed to provide the needed care and services to assist frail elders.

Springwell provides 2 overnight on-site personnel for urgent care. An additional full-time care coordinator works with residents to set up services such as homemaking, transportation, medication reminders, meal site or at-home meal delivery as well as other available community services. The services are based on income and need and are provided to residents on a sliding scale. Additionally, Springwell conducts weekday activities in the community room and provides a catered meal which is served each evening.

The Needham Housing Authority is excited that this option exists for Needham residents and we are committed to helping elder residents to remain living independently for as long as possible. Interested elders or families of elders may apply for housing by calling the Needham Housing Authority office.

Preference for all Needham Housing Authority programs is given to applicants who currently live, work, or attend school in Needham. Anyone interested in obtaining an application or additional information about the Needham Housing Authority is encouraged to stop by the office at 28 Captain Robert Cook Drive, to call (781) 444-3011, or email us at NeedhamHA@aol.com.

NEEDHAM TRANSPORTATION COMMITTEE

Duncan W. Allen, Chair

Richard Creem

Jane Howard

Linda Hoard, Secretary

Stephen McKnight

The Needham Transportation Committee was established by the Town of Needham (By-laws Section 2.7.1) and has been charged with the responsibility for "continuing studies of the mass transportation needs of the Town, with particular emphasis upon commuter transportation". In addition to responding to requests from the Selectmen, the Needham Transportation Committee meets to provide an opportunity for members of the community to bring their concerns before the Committee, and it has helped the Selectmen take the Town's concerns to the MBTA as needed.

FY 2009 HIGHLIGHTS

The principal continuing item of business was train noise, particularly the idea of implementing a 'quiet zone' at the Town's railroad grade crossings, whereby trains would be relieved of the requirement to sound horns if supplemental safety measures were implemented. The Board of Selectmen (BOS) asked for the Committee's opinion, having in mind the possible cost of the supplemental measures.

At its meeting on April 20, 2009, the Transportation Committee found that it could not agree on a specific estimate of the cost of establishing quiet zones, and a majority of the Committee recommended to the BOS that there be a feasibility study to arrive at a specific estimate. The BOS did not authorize the study. A group of residents in favor of the 'quiet zone' placed an item to fund a feasibility study on the 2009 Town Warrant. This was not approved by Town Meeting. The BOS referred the matter back to the Committee.

At its meeting on July 14, 2009, the Committee did not approve motions to recommend either a professional consulting feasibility study or an offer of Northeastern University students to perform a study at no cost to the Town. The group supporting the quiet zone indicated it would pursue the matter with Northeastern, and has advised the Committee and the Board of Selectmen of this plan.

The Committee met a third time on December 15, 2009 to consider and adopt minutes of the prior two meetings.

PARK AND RECREATION

PARK & RECREATION COMMISSION

Cynthia J. Chaston, Chairman
Brian S. Nadler, Vice Chairman
William R. Dermody, Member

Christopher R. Dollase, Member
Philip V. Robey, Member

DEPARTMENT STAFF

Patricia M. Carey, Director
Karen A. Peirce, Assistant Director
Nikki Witham, Administrative Specialist
Nicole DiCicco, Department Assistant



PURPOSE

Empowered by Chapter 45 of the General Laws of the Commonwealth of Massachusetts, the Park and Recreation Commission:

- Provides balanced, year-round recreation programming and leisure services for all ages.
- Serves as steward of over 300 acres of public parkland including the Town Forest; and schedules recreation and athletic facilities.
- Manages Rosemary Pool and Lake as the principal aquatic recreation facility.
- Provides long-range open space and recreation planning.
- Coordinates and provides support services for many community organizations.
- Provides youth leadership training and volunteer resource development.

The five members of the Park and Recreation Commission are elected to three-year terms. The Commission meets on the second and fourth Mondays of each month.

FY 2009 HIGHLIGHTS

The benefits of Park and Recreation services, in communities across the country, are endless, and the Needham Park and Recreation Commission is proud of the partnerships it has developed with many in the Town to enhance the lives of all Needham residents. Fiscal Year 2009 was an extremely busy year at Park and Recreation!

Economic Benefits

- Commission waived Summer Program and Rosemary Pool fees of almost \$30,000 for Needham individuals and families in need of assistance, to enable all to have access to recreation and leisure activities. The value of financial assistance increased by \$10,000 from the prior summer;
- Commission generated almost \$300,000 in revenue that was deposited into the Town's General Fund;
- Commission conducted annual review of program fees, ensuring that all direct costs were covered by the fees paid by residents who participate in programs;
- Assisted with the updating of the Town's Commonwealth Capital Score, working towards increasing the point value. The score is required in applications for state and federal grants;
- Provided staff assistance to the Community Preservation Committee;
- Parent Talk donated financial support for the summer of 2009 Children's Theatre program;
- Needham Cultural Council, Needham Exchange Club, Dedham Institute for Savings Bank, Louise Condon Realty, Tom Nutile Band, Needham Business Association, and many Needham residents donated funds in support of the 2009 Arts in the Parks summer concert series;
- Assisted with field maintenance projects financed through Field Maintenance Fee, from groups using town-owned athletic fields, allowing the DPW Parks and Forestry Division to reduce the damage to fields from overuse;
- Department offered programs through the use of revolving fund fees, generating more than \$200,000 in revenue for the cost of running those programs, and fee-based services, including Field Maintenance and Athletic Field lights fees.

Community Benefits

- The Needham Sports Council worked with the Town to oversee construction of the new athletic fields at Memorial Park and DeFazio Park. The synthetic turf field at Memorial was ready for use in August 2008 and the 90' diamond in Spring 2009. At DeFazio, the synthetic turf fields, the track and McLeod diamond were ready for Spring 2009. The other fields were finished and are waiting for the grass to grow completely in;
- The *Wall That Heals* visited Memorial Park for 3 days in October 2008. Open 24 hours a day, the Wall received thousands of visitors, and residents of all ages participated in daily memorial ceremonies;

- Specifications were completed, with DPW, for the renovation of the Mills Field tennis courts, in preparation for a Summer 2009 bid. The PPBC completed the new tennis courts at Needham High School, ready for the spring 2009 season;
- Developed material for Town's website for Park and Recreation, Memorial Park and Community Preservation. The website now allows for e-mail notices for special projects, and the department regularly uses ones for Program Information, Field Status, and Fields of Dreams updates;
- Worked with the Newman PTC to purchase and install additional playground equipment for the Kindergarten students; worked with DPW Highway to have playground games and USA maps painted on the playground areas at Hillside and Newman; worked with Exchange Club for additional improvements to Claxton Field playground;
- Department continued to work with School Department on safe playgrounds;
- Director assisted with the study of Town Hall and its renovation, and with design for new Public Services Administration Building which will be the eventual home of the Park and Recreation Department;
- Worked with Public Facilities to hire cleaning company for park restrooms at DeFazio, Memorial, Cricket and Claxton;
- Continued renovation of Claxton Bathrooms;
- Installed new center dock in Rosemary Pool and replaced some exterior fencing;
- Assistant Director participated on Eat Well/Be Fit, Needham Committee, including offering a walk for children in the Town Forest during the week of walk events called Needham Springs Into Action Week;
- Held Field Scheduling Summits, for seventh year, with sport league officials regarding annual use of athletic fields and continued long-term project on working with leagues to revise field scheduling policies to relieve overuse of fields and to benefit participants;
- Celebrated the contributions of the DPW to Park and Recreation facilities and projects with "Touch the Trucks," an annual community event;
- Assistant Director served as Chair of the Wellness Subcommittee for Needham's Tercentennial in 201;
- Tom Jacob was elected to the Park and Recreation Commission in April 2009.

Environmental Benefits

- Director served on Town's Integrated Pest Management (IPM) Committee with the Town Manager, Parks and Forestry Superintendent, Health Director, Conservation Agent, and Supervisor of Custodians, assisting with enforcement of IPM Plan and Child Safety Act;
- With Conservation Commission, reviewed goals in Open Space and Recreation Plan and began to implement;
- Began implementation of projects listed in completed Trails Master Plan after Plan was accepted by Park & Recreation Commission, Conservation Commission and Board of Selectmen;
- Improvements were made at Rosemary Pool. Lights were replaced in lower level, completing energy improvement project. Worked with Conservation Commission,

Water Department and consultant on review of storm drainage issues at Rosemary Pool parking lot and walking trail around Rosemary Lake;

- Assistant Director worked with a variety of organizations and individuals on park clean-up projects, in particular assisting several Eagle Scout (Boys Scouts) and Gold Medal Award recipients (Girl Scouts) with completion of their projects;
- Continued to educate residents on the possible solutions to decreasing the Canada Geese population through humane methods; professional was hired to find nests, but did not locate them at Rosemary Lake, the Reservoir or Walker Pond.

Personal Benefits

- On-Line registration was successfully implemented in May for the summer registration and quickly became the favored registration option;
- Commission approved a pilot program for night time Geocache and a Geocache class was offered by the department;
- Fitness was a key component for many programs, and efforts were made to offer additional tennis classes due to a high number of requests. Tennis-related programs for younger children were added back into the schedule, providing activities that help teach eye-hand coordination with a racquet;
- Assistant Director served as the Town's representative on the Needham Commission on Disabilities;
- Held successful annual Spooky Walk in collaboration with Needham Business Association and annual Fishing Derby at the Reservoir with the support of local fishing organizations;
- Provided assistance to the annual New Years Needham events;
- Director served on interview panel for new High School Athletic Director;
- Assistant Director oversaw development of new program offerings including Legoland, and revamped summer arts and crafts programs entitled KidzArt and Art Express;
- Assistant Director worked with YMCA and Youth Services on annual "Needham Unplugged": one family night without homework, meetings or events;
- Director and/or Assistant Director attended workshops and seminars, covering topics including landfill reuse, playground safety and ADA requirements; the concerns related to overweight children and obesity; the study of youth sports, integrated pest management, customer service, the building of natural and artificial athletic fields, safe pool operations, creative programming, funding resources and training of staff;
- Director continued to write monthly newsletter article for the Massachusetts Recreation and Park Association that provides information to elected and appointed board members on Park and Recreation boards.

PUBLIC HEALTH DEPARTMENT

BOARD OF HEALTH

Peter J. Connolly, M.D.

Edward V. Cosgrove, Ph.D

Stephen Epstein, M.D.

DEPARTMENT STAFF

Janice Berns, R.N., M.S., Ed.D., Director
Donna Carmichael, R.N., Public Health Nurse
Maryanne Dinell, Traveling Meals Coordinator
Bryan Eustis, M.P.H., Emergency Preparedness Planner
Brian Flynn, R.S., Environmental Health Agent
Tara Gurge, R.S., M.P.H., Environmental Health Agent
Danielle Landry, Animal Inspector
Jane Lischewski, Administrative Coordinator
*Carol Read, M.Ed., C.A.G.S.,
Senior Program Coordinator*
Donna Vigliano, R.N., Public Health Nurse



The Needham Health Department is empowered through the Needham Board of Health by the Massachusetts General Laws to enforce state and local public health and environmental regulations. The mission of the Department is to preserve, protect and improve the public health and social well being of the citizens of Needham by promoting health and preventing disease and environmental pollution.

FY 2009 HIGHLIGHTS

- On a budget of \$433,529 an additional \$354,859 in grants and donations and \$77,021 in permits and fees were received during the year
- Healthy Needham 2011 committee is co-chaired by the Health Department and the Needham Public Schools and is an initiative of town departments, area agencies, businesses and residents collaborating to make Needham a healthier community for everyone. Its goal is to enhance and promote a healthy living infrastructure in the municipal, commercial, philanthropic, and residential arenas
- Project Interface contract with the Town to provide a data base of mental health providers and other services to the Social Services Departments and the Needham Public Schools funded by the Needham Coalition for Suicide Prevention
- Presentation on the work of the Needham Coalition for Suicide Prevention to the Massachusetts Coalition for Suicide Prevention Annual Conference in Sturbridge
- In FY2009 over 2,200 suicide prevention messages were run on the Needham Channel
- Traveling Meals Appreciation Party with guest speaker Marsha Bemko, Executive Producer of the Antiques Roadshow
- Last of the Private Clubs in Needham went smoke-free September 1, 2008
- SAMSHA Drug Free Communities grant from Health and Human Services funded in October for \$125,000 a year for five years
- \$2460 raised for the Gift of Warmth by Town Employees through gift baskets (18) and the annual golf tournament
- Director appointed to the Board of Directors, Massachusetts Public Health Museum, Tewksbury
- 79 municipal employees certified in American Heart CPR/AEDs in addition to Fire and Police personnel
- The Needham Youth Substance Abuse Prevention Coalition was begun in February, 2009 with members from 12 sectors of the community

- Completed 70 presentations and submitted 40 articles for the local print media and the town website and numerous press releases
- 114 communicable diseases reported and investigated by the Public Health Nurses
- More than 2,000 persons participated in the flu immunization clinics
- More than 2,700 persons consulted the Public Health Nurses for wellness visits
- 367 food service inspections conducted on 140 establishments. There were 76 temporary food permits issued. Every food establishment was inspected routinely every six months as required by the Massachusetts Department of Public Health and more often when necessary
- 87 employees who sell tobacco products in 14 tobacco vendors viewed the new Health Department video on tobacco regulations and procedures to sell
- 89 general nuisance complaints follow-ups (98% responded to the same day as complaint was received)
- There were 57 food complaint follow-ups
- The Traveling Meals Program delivered over 12,456 meals and volunteers provided over 2,770 hours of service to pack and deliver the meals
- There were 37 pets placed under quarantine by the Animal Inspectors
- The Health Department web page continues to grow and includes application forms, links and educational information. www.needhamma.gov/health

GRANTS AWARDED AND DONATIONS RECEIVED

- \$13,280 - CDC/MDPH Region 4B Public Health Emergency Preparedness grants (4) to fund development of Special Population and Emergency Dispensing Site plans, to purchase supplies, and develop exercises and trainings.
- \$5,000 - National Association of City and County Health Agencies (NACCHO) development grant to fund Medical Reserve Corps trainings and to fund a part time coordinator position.
- \$3,000 - Medical Reserve Corps from the Center for Disease Control
- \$8,026 - Homeland Security grant for emergency cots and other supplies
- \$750 - Massachusetts Emergency Management Agency (MEMA) grant for Local Emergency Planning Committee (LEPC) activities
- \$4,416- Smokefree Communities Grant for Needham – from the Massachusetts Department of Public Health. The towns of Belmont, Brookline, Milton, Needham, Newton, Waltham, Watertown, and Wellesley received a combined grant of \$60,000 to continue compliance checks of tobacco vendors and enforce workplace policies.
- \$145,472 - Human Service grants and donations from state organizations, community organizations and churches to assist needy residents in obtaining fuel, medical care, emergency food, and other emergency assistance as needed.
- \$22,309 - Springwell grant for individuals in the Traveling Meals Program who are unable to pay the cost of their meal
- \$3,391 - “FRIENDS” of the Needham Board of Health and Traveling Meals Program, Inc. The group was formed by Needham residents to assist the Health Department in raising and obtaining funds for programs not fully supported by Federal, State and Local Government programs. Funds are used to assist Traveling Meals clients to pay for meals and to assist residents for fuel expenses. Participants must meet federal eligibility requirements or have other demonstrated need. FRIENDS also support

Health Department programs and initiatives and purchased a radio system to communicate with surrounding towns in an emergency

- \$44,320 - Volunteer Services provided over 2,770 (approximately equal to \$41,535 in salary) to pack and deliver meals to clients in the Traveling Meals Program
- \$4,000 - Community Health Network Area (CHNA #18 MDPH) grant for the Eat Well Be Fit Committee
- \$5,750 - Donations from Community Agencies for the Needham Coalition for Suicide Prevention Co-Chaired by the Health Department and School Guidance Department
- \$57,200 - Grant from the Massachusetts Department of Public Health for activities of the Needham Coalition for Suicide Prevention and a grant to train/certify as trainers 18 members of the NCSP and Riverside Community Care staff in QPR
- \$5,500 - Virginia & Ruth Bigwood Domestic Violence Trust Fund - supports activities of the Needham Domestic Violence Action Committee and the Health Department
- \$2,645 - Donations from the community including donations and recycling of old cell phones for activities of the Domestic Violence Action Committee
- \$20,000 -MetroWest Health Care Foundation grant for Youth Substance Abuse Prevention and Education
- \$5,000 - Tolman Trust Fund grant for Adult Substance Abuse Prevention and Education
- \$1,800 - Kiosk for the Needham Recycling Center from MDPH, Community Sanitation Program to meet the new sharps regulations effective July 1, 2009
- \$3,000 - Grant funded by the Regional Centers for Healthy Communities for building capacity for the Needham Youth Substance Abuse Prevention Coalition

EMERGENCY PREPAREDNESS

Increasing concern for emergency preparedness 24/7, emergent and re-emergent diseases, and new environmental regulations require that the Health Department sustain and increase its environmental oversight, emergency response and broad-based training programs. Emergent and re-emergent infectious diseases, such as: H1N1, Eastern Equine Encephalitis, SARS, West Nile Virus, Lyme Disease, Rabies and Tuberculosis, reaffirm the need for strong oversight by the Health Department and prompt investigation of all disease reports. These threats require greatly increased coordination between town departments and local communities. Because of the threat of bioterrorism, the department will increasingly be called upon to support police and fire departments in planning for incidents and addressing community concerns. Additional activities during the past year to those mentioned under the Highlights Section include:

- Mission Possible: Consensus among local health departments. Presented at the Massachusetts Health Officers Association Annual Conference in Springfield.
- PH Radio System Base Station installed and operational for communication for a Public Health radio emergency system in Sub-Region 3 (Needham, Wellesley, Westwood, Dedham, Norwood, Milton and Canton)
- 18 members of the Medical Reserve Corps responded to help in 2 shelters in Worcester on December 13, 2008
- NACCHO Emergency Preparedness Conference, San Diego

- Best Practice Presentation to Massachusetts Health Officers Association Quarterly Meeting on Sub-3 Public Health Emergency Radio Project
- Passed Center for Disease Control Technical Assessment Review of Needham Public Health Emergency plan
- 4B Sub-Region 3 Weekend Drill – Scenario measles outbreak in Needham
- Public Health Nurses participate in MAVEN (Massachusetts Virtual Epidemiological Network). This new online technology provides early response to communicable disease prevention and surveillance
- Medical Reserve Corp Emergency Notification Drill provided to 194 Needham members. 194 contacted in under 4 minutes using Town Swift Reach Emergency Notification System
- Training on Safety and Emergency Guidelines and exercises for Municipal Employees coordinated with Fire and Police for all employees.
- 24/7 coverage for emergencies maintained
- The Health Department continues to meet monthly with the Emergency Region 4B consortium that includes 27 towns and participated in regional and sub-regional exercises. Health Director is a member of the 4B Executive Board
- The Health Department and the Fire Department Co-chair the Local Emergency Planning Committee (LEPC) which continues to meet bi-monthly with town departments, local hospital, businesses, the media, and residents
- All staff trained as defined by Homeland Security in Incident Command and National Incident System 100, 200, 300, 400, and 700
- The Needham Medical Reserve Corp has expanded to 198 volunteers in Needham and to over 1,000 in Sub-Region 3 (Dedham, Canton, Milton, Needham, Norwood, Wellesley, and Westwood)
- Four Emergency Dispensing Sites have been identified in Needham and registered with the Massachusetts Department of Public Health and Center for Disease Control in the event of an emergency

SENIOR PUBLIC HEALTH PROGRAM SPECIALIST SUBSTANCE ABUSE PREVENTION AND EDUCATION (BEGUN DECEMBER 2008)

NEEDHAM YOUTH SUBSTANCE ABUSE PREVENTION COALITION (NYSAPC) STARTED FEBRUARY 2009

The cornerstone of an effective community substance abuse prevention effort is a coalition comprised of leaders and stake holders from key sectors of a community including: parents, youth, business leaders, law enforcement, school and public service officials, health care professionals, faith-based organizations, media, youth serving representatives, state and local government agencies, social service providers and other community representatives. Research shows that multi-sector, multi strategy approaches to substance abuse prevention, implemented by community coalitions, reduce alcohol and other drug abuse significantly.

Our Coalition meets regularly sharing open and honest dialogue on the high risk behaviors and substance abuse issues facing Needham youth. The Coalition has also discussed the consequences of underage substance use and the hope for a community commitment to change perceptions regarding underage use and limit access and availability. The Coalition drafted and

accepted a vision and mission statement and has discussed: initial goals for Coalition Environmental Prevention training, youth behavior data resources and initiatives to enhance parental involvement in prevention efforts. The collective members of the NYSAPC will meet throughout the year, while sub-committees may be formed to work on targeted youth prevention initiatives. All members of the Needham community are welcome to attend meetings and support groups.

DRUG FREE COMMUNITIES GRANT

To support the health and well being of Needham youth our health department committed to the writing and submission of the 2009 Drug Free Communities grant which was funded in September, 2009 for five years. This grant, directed by the White House Office of National Drug Control Policy (ONDCP) in partnership with the Substance Abuse and Mental Health Services Administration (SAMHSA) supports over 700 drug free community coalitions across the United States.

Our DFC Grant submission included a myriad of information regarding the town of Needham including: a concise narrative of the demographic and prevention efforts in Needham, an overview of Needham youth risk behaviors and a vision and mission statement from the Needham Youth Substance Abuse Prevention Coalition (NYSAPC) outlining our mission of keeping youth physically and emotionally healthy. Our goals prioritize an environmental prevention plan to prevent and reduce youth alcohol, marijuana and other drug use, change perceptions and norms regarding underage use and limit access and availability through regulations, policy changes and enforcement. The Health Department and the NYSAPC are committed to implementing evidenced- based community prevention initiatives to continue to enhance the health and safety of Needham youth.

ADULT OUTREACH

Significant research during the last ten years has lead to a deeper understanding of substance abuse, addiction and chemical dependency. Currently 16-20 million Americans are addicted to alcohol, or abuse it regularly. Research shows one in four Americans will have an alcohol or drug problem at some point in their lives.

Substance abuse is recognized as a chronic disease of epidemic proportions with physical, psychological, emotional and spiritual elements that require continuing and holistic care. Access to quality resources is the foundation of the initial step in seeking treatment for dependence and addiction. Our goal is to educate Needham adult residents regarding substance abuse education, addiction and the benefits of recovery programs, which are as effective as treatment for other chronic health conditions.

The Health Department outlined a series of substance abuse outreach initiatives to support the health and well being of Needham adults. Building awareness of our programs has included *Meet and Greet* sessions with the Substance Abuse Specialist at the Charles River YMCA, The Council on Aging, the TRIAD Fair and Parent Evening Programs sponsored by the Needham Public Schools. We have presented educational programs to Needham clubs, fraternal groups and the Veterans' organization on substance use as well as on suicide prevention through the QPR Program.

Our media outreach has included multiple Public Service Announcements on The Needham Channel, informational articles in the print and on-line editions of The Needham Times and Hometown Weekly, informational email communication to parents and the development of website resource pages for substance education resources, group and individual counseling and treatment programs.

Our confidential services have provided information, treatment resources and support through counseling and referrals for Needham adults. Increasing awareness of addiction as a disease, not a weakness or moral failing will meet our goal of moving the adult community toward seeking resources for education and support and away from the feelings of shame traditionally attached to substance abuse.

HIGHLIGHTS

- Four programs were introduced to the community including Guiding Good Choices Parent Group, a Community Parent Program “Understanding the Development of the Adolescent Brain”, “Please Stop the Roller Coaster” Parent Coffees, and reintroduced SADD (Students Against Destructive Decisions) at Needham High School in June 2009.
- Thirteen presentations were conducted by the Substance Abuse Specialist to groups that included the school nurses in public and private schools, Needham Public Schools Guidance Department, QPR training to the Veterans Association, Charles River ARC staff, Charles River YMCA staff, and the Council on Aging staff, Career Day at Needham High School and various student and parent groups.
- The Substance Abuse Specialist is the Facilitator for Students Against Destructive Decisions (SADD) and the Facilitator for the Needham Youth Substance Abuse Prevention Coalition (NYSAPC) and a member of the Needham Coalition for Suicide Prevention and the Needham Public Schools School Health Advisory Council (SHAC).
- Two team grants were written including Drug Free Communities (DFC) Grant SAMSHA and the Regional Center for Healthy Communities Grant *Strengthening our Work and our Communities* that were both funded.
- Provided individual parent and student counseling
- Community outreach and individual meetings to over 40 community leaders that included municipal, community, school, volunteer, health and counseling/psychiatric counselors
- Community outreach to over 500 adults at the Charles River YMCA, Council on Aging, TRIAD Fair, Veteran’s Association and multiple community parent evenings.
- Developed and taped 2 PSA’s on Adult and Youth Substance, acquired free Ad Council PSA’s run aired over 600 times on Municipal, Community and Educational channels
- Adolescent Brain Development Seminar presentation aired 68 times, March 11th – April 12th
- Developed content and taped *It’s All Local* program aired 60 times, April 23-June 3rd
- Developed multiple Community Bulletin Board announcements
- Wrote 2 articles and 4 press releases for publication in The Needham Times and Hometown Weekly print and on-line editions

- Developed substance abuse webpage www.needhamma.gov/health/substanceabuse for educational information and support resources for youth and adults.

PUBLIC HEALTH NURSING

The Public Health Nurses continue with disease investigation and surveillance within the community, offer advocacy, consultation, counseling, outreach/case finding, health promotion, screening and immunizations. Provide residents and town employees with education and the opportunity to adopt healthier lifestyles through:

- Wellness Clinics/Blood Pressure checks, Nutritional and other health related counseling
- Education on communicable disease, personal illnesses and disease prevention

The Needham Health Department provides community outreach through speaking engagements with community groups, the local hospital, and town employees. Health Matters articles are published monthly and local cable spots are done periodically. The focus of these programs is to keep our community updated and educated on the constant changes in Public Health. The Public Health Nurses also serve on several local committees, such as Early Childhood Committee, Beth Israel Deaconess Infectious Disease Committee, TRIAD, Domestic Violence Action Committee, Needham Coalition for Suicide Prevention and the Local Emergency Planning Committee.

The Public Health Nurses license and conduct health and safety evaluations of the nursery schools, day care programs, after-school programs, summer camps and tanning parlors within the community. They coordinate human service programs such as the Federal Fuel Assistance program, the Good Neighbor Programs, the Salvation Army Local Unit and coordinate assistance with other local agencies and churches. The Public Health Nurses also administer the food stamp program for the elderly and the disabled in the community. They also inspect/quarantine animals as necessary.

The Needham Health Department has developed and continues to build the Needham Medical Reserve Corps (NMRC) to assist in Emergency Response. We have over 198 qualified and enthusiastic volunteers to serve as members of a response team for local and regional emergency health situations such as dispensing medication or vaccinating the Needham population.

COMMUNICABLE DISEASE

The following communicable disease statistics represent those reported in the last three years, along with some of the screening programs and activities performed during the year:

	FY 2007	FY 2008	FY 2009
Babesiosis	0	3	4
Campylobacter	6	10	3
Cryptosporidia	2	1	2
Cyclosporiasis	0	0	1
Dengue	1	0	0
E-Coli	2	1	0
Ehrlichiosis	1	1	0

Enterovirus	0	0	1
Giardiasis	4	4	0
Hepatitis A	1	1	0
Hepatitis B	3	5	1
HGA (Human Granulocytic Anaplasmosis)	0	0	1
H1N1	0	0	8
Legionnaire's	1	1	0
Listeria	0	0	1
Lyme Disease	45	42	64
Meningitis(aseptic)	0	0	1
Pertussis	7	6	1
Positive PPD	7	2	4
Rabies (Animals)	1	1	1
Salmonellosis	3	6	6
Shigella	1	0	0
Strep A (GAS)	3	0	1
Strep Group B	0	0	1
Strep Pneumonia (Inv.)	5	3	4
Toxoplasmosis	0	0	1
Tuberculin Non Pulmonary	1	0	0
Tuberculosis Pulmonary	2	0	0
Varicella	6	11	7
Yersinia	0	0	1
TOTAL	102	98	114

SCREENING PROGRAMS

	FY 2007	FY 2008	FY 2009
Employee Office Visits	242	225	155
Employee Wellness	1206	1228	1603
Hearing	77	72	77
Mantoux Testing	121	141	188
Police Weight Screening	48	46	63
Skin Cancer Screening	23	48	40
Vision	77	72	77
Wellness Office Visits	920	936	647
Wellness Clinics - Visits	354	350	295
Assistance	-	205	

IMMUNIZATIONS

	FY 2007	FY 2008	FY 2009
Influenza (Doses Administered & Distributed)	4,100	4,340	1,960 Doses Administered
Other Immunizations Administered	119	64	56

LICENSED FACILITIES

	FY 2007	FY 2008	FY 2009
Day Camps	8	8	7
Inspections	17	17	10
Tanning Parlors	2	2	2
Inspections	5	5	6

HUMAN SERVICES

SENIOR SAFTE

The Public Health Nurses coordinate the Senior Safety And Food Training and Education Program (Senior SAFTE) with the Traveling Meals program coordinator. In the past Eight years of the program, over 545 home visits were conducted to review nutrition, medication management and safety issues with this high-risk population. Senior SAFTE's goal is to keep Needham's elders living safely in their homes.

FEDERAL FUEL ASSISTANCE PROGRAMS

The Salvation Army Program, "Gift of Warmth" and "FRIENDS" Programs assist those Needham residents who meet specific financial criteria, with payment towards heating and electric bills. Federal Food Stamps for Senior Citizens and disabled individuals only, are available to qualified Needham Residents.

ASSISTANCE AND HUMAN SERVICES PROGRAMS

	FY 2007	FY 2008	FY 2009
Coordinate Local Assistance (families)*	88	87	149
Federal Energy Assistance (families)	81	85	118
Salvation Army (families)	29	31	14

*Funds/services contributed by local human service agencies and houses of worship

ANIMAL INSPECTIONS

ANIMALS QUARANTINED FOR EXPOSURE TO POTENTIALLY RABID ANIMALS

	FY 2007	FY 2008	FY 2009
Cats (45-day quarantine)	41	19	24
Cats (6-month quarantine)	11	9	9
Dogs (45-day quarantine)	8	9	4
Dogs (6 month quarantine)	0	0	0
Animal Bites			
Cat/Human	4	3	2
Dog/Human	12	11	18
Dog/Dog	4	4	2
Bat/ Human	2	2	10

ENVIRONMENTAL HEALTH

Environmental health activities are determined by public demand, legal mandate, complaints, licensure, permit requirements, inquiries, and regulatory enforcement of Board of Health, State

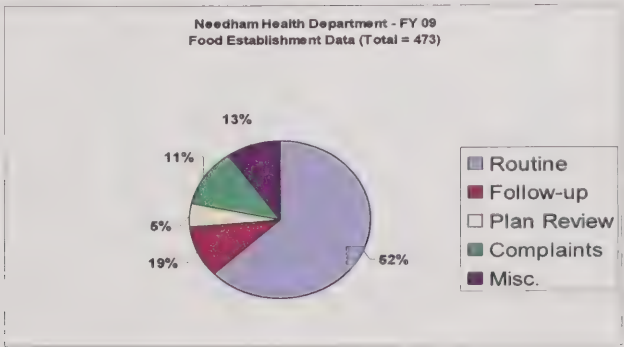
Sanitary Code, Department of Environmental Protection, and Right-to-Know. Implementation and enforcement of State and Federal regulation requirements and applicable local laws and administrative rules and regulations is the number one priority to assure compliance with environmental quality and public health protection objectives.

The Environmental Health Agents protect the public's health by monitoring and regulating a variety of establishments throughout town. They license and conduct inspections of all retail/food service establishments (including mobile food vendors), tobacco vendors, massage establishments, public/semi-public pools and special purpose pools, a bottling company, and establishments that use sharps within the community. They also issue temporary food event permits and conduct inspections at all outdoor food events (annual fairs, etc.)

The agents also actively review proposed plans and conduct inspections of new/upgraded Title V septic system installations or repairs. They also inspect Chapter II sanitary housing units, subdivisions (for off-street drainage bond release requests), and follow-up on a variety of complaints (food/nuisance/housing). They review new or renovated food establishment design plans, additions or renovations to homes on septic system plans, new pool design plans for semi-public pools, demolition applications, septic hauler/installer permit applications, and well permit applications (irrigation and monitoring). They also review domestic animal permit applications and conduct inspections/quarantine animals as needed. Quarterly tobacco compliance checks and 6-month inspections are conducted along with responding to work place smoking complaints.

The Environmental Health Agents actively work with other Town Departments in providing environmental risk assessment and control. In addition, to ensure environmental quality, the agents respond rapidly to environmental emergencies. Another primary focus is to improve community awareness of public health issues and to help reduce the incidence of seasonal public health concerns by providing health education and information to Needham residents. This is accomplished through newspaper articles, cable slots, on-site trainings, and by providing in-house brochures and State/Federal website links which contain up to date public health information. They continue to actively serve on committees in town. And they continue to be involved in a variety of seminars and on-going training sessions to remain apprised of today's public health issues.

Following is a listing of environmental health permits and field inspections performed by the Environmental Health Agents.



INSPECTIONS AND REVIEWS

	FY 2007	FY 2008	FY 2009
Carbonated Beverages	1	1	1
Food service: inspections/ plan reviews/ complaints, etc.:	556	709	689
Chap. II housing inspections	18	18	11
General nuisance complaint follow-ups	133	84	89
Rabies Clinics	2	0	0
Title V system inspections, plan reviews, home additions, etc.	144	177	156
Title V systems installations	6	9	6
Subdivision field inspections/plan reviews	7	30	33
Swimming pool inspections	8	11	10
Suspect food borne illness reports submitted to state	2	2	1
Demolition reviews	89	89	86
Tobacco compliance checks, inspections/ follow-ups, etc.	114	166	130

LICENSES AND REVIEWS

	FY 2007	FY 2008	FY 2009
Animal Permits	10	5	6
Bottling Plant Licenses	1	1	1
Food Establishment Licenses	132	138	140
One-Day & Temporary Event Permits	55	85	76
Mobile Food Licenses	4	5	4
Septic Hauler Permits	10	14	13
Subsurface Sewage Installers' Permits	15	16	18
Tobacco Sales Permits	17	15	14
Caterers	1	2	2
Disposal of sharps permits	8	9	8

ADDITIONAL PERMITS

	FY 2007	FY 2008	FY 2009
Funeral Directors' Licenses	3	3	3
Burial Permits	501	481	433

FY 2009 HIGHLIGHTS

- Three trainings conducted to Food Establishment owners/managers on pending new Trans Fat Ban Regulations.
- Appeared on local cable show, 'It's All Local,' on the Needham Cable channel talking about the new regulations.
- Appeared on Eat Well Be Fit Cooking Show entitled, 'Cooking for One or Two.' This show featured a variety of easy-to-prepare healthy recipes. This was taped and

broadcast on the local Needham Cable Channel and distributed to the Council on Aging.

- Received a \$4,000 CHNA 18 community collaboration grant to continue our work on our on-going successful Eat Well Be Fit Needham Committee healthy living initiative projects.

TRAVELING MEALS

The Needham Health Department's Traveling Meals Program is in its 38th year. This fee-for-service Program offers a nutritious, well-balanced lunch and dinner (delivered once a day) to eligible residents.

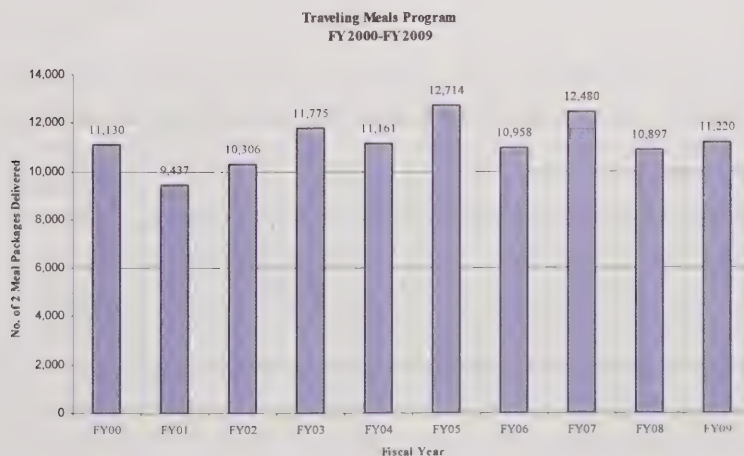
This year, July 1, 2008 through June 30, 2009, our dedicated and committed volunteers packed and delivered 11,220 meals.

Beth Israel Deaconess Hospital Needham prepared these meals and their generous commitment to the Traveling Meals Program made it possible for this Program to continue to provide a 2-meal a day plan; a cold meal (milk, sandwich on wheat bread, juice, fruit and dessert) and a hot meal with roll and butter at a cost of \$4.60.

Donations from the "FRIENDS" of the Needham Board of Health and Traveling Meals Program along with a grant from Springwell, the Elder Services Program based in Watertown, supplemented the cost of some meals for 12 of our Needham residents needing assistance.

This Program is available to any Needham resident that is homebound and meets the following criteria:

- Resident with physical or cognitive limitations that restricts their ability to prepare or provide for their daily food.
- Living alone in their home with lack of support of family or homemaker services.
- Unable to drive.
- Needs the assistance of the Program for a minimum of 2 weeks
-



MENTAL HEALTH AND SUBSTANCE ABUSE

FY 2009 Report for the Town of Needham

By Riverside Community Care

The Town of Needham supports children, families and adults by providing funding to Riverside Community Care. Through this funding, Riverside provides a continuum of mental health and related services as a payer of last resort. Many of Riverside's programs and services are located and delivered within the Town of Needham. In fiscal year 2009 Riverside provided services to 421 Needham residents.

The Riverside Early Intervention Program provided service to 147 developmentally at-risk Needham children, age birth to three years enrolled in the program. The Early Intervention Program runs 18 different groups for children and caregivers out of our Needham office, including groups for Needham infants and toddlers who are not enrolled in the program. The EI staff work and consult in a number of home-based and center-based childcare programs in Needham.

Four Riverside Outpatient Centers provided 1964 hours to 114 clients, one day treatment program provided 820 days to 7 clients, and our Partial Hospital Program provided 55 days of treatment including individual, group, family counseling and/or medication services to two Needham residents. Treatment issues include behavioral interventions for cognitively disabled adults, severe, persistent, chronic mental illness, parent/child relationship, school problems, substance abuse, employment issues, domestic violence, traumatic events and a spectrum of complex adolescent mental health diagnoses.

The Riverside Emergency Service Team provided 66 hours of emergency response and respite care to 54 Needham residents with mental health and/or substance abuse emergencies. Of those, the presenting issues included suicidal ideation, self-inflicted wounds, assaultive behaviors, and substance abuse and dependence. The Riverside Emergency Services Team contracts with the Beth Israel Deaconess Hospital to provide psychiatric coverage in the hospital emergency room; thus making it easier for Needham residents to receive psychiatric emergency services closer to home.

The Riverside Alternative Youth Services Program (AYS) serves teens and their families who faced crises with alcohol and drug abuse, serious and destabilizing family conflict, eating disorders and/or other serious emotional problems. For FY 2009 Riverside AYS staff provided 595 hours of service to 18 clients and their families (71 total individuals) in Needham, in addition to providing 108 hours of consultation to school staff, suicide prevention and counseling services in the school. Riverside has continued to be actively involved in suicide prevention efforts in Needham. Jim McCauley has continued to serve on the "adult" subcommittee of the Needham Coalition for Suicide Prevention. In addition, Riverside continues to have a psychologist regularly consulting to faculty, students and parents at Needham High School. During the past school year Riverside provided 47 hours of evaluation and referral services to 13 middle and high school age students who were deemed "at risk."

The Riverside Life Skills Center provided intensive clinical day treatment services to 7 Needham adolescents who were temporarily unable to function in a school setting and/or at home due to severe emotional problems. In September 2008, the Life Skills Center expanded to include educational services for adolescents who are unable to return to regular school programs until their psychiatric situation had stabilized. In FY '09, 4 adolescents from Needham received tutorial services contracted by Needham Public Schools.

The Riverside Family Partnership offers short-term, home-based family therapy, youth outreach, and crisis stabilization for youth and their families. This past year, 2 Needham families received several months of intensive services through the Family Partnership Program.

COGNITIVE AND OTHER DEVELOPMENTAL DISABILITIES

The *Charles River Center* provided the following services for people with cognitive and other developmental disabilities and their families in the Town of Needham and many surrounding towns during 2007.

- Residential Services – Group Homes; Supported Apartments to over 115 individuals
- Vocational Training, Job Placement and Support to 160 individuals
- Therapeutic Day Services & Senior Citizen Day Supports including nursing coordination, occupational, physical, music and speech therapies, social and recreational services to 100 individuals
- After school, weekend and school vacation services to over 50 school age children
- Applied Behavioral Analysis to individuals on the Autism Spectrum, and consultation to their families and school system personnel

The Arc of Charles River, a service of The Charles River Center, provides information and referral services, legislative advocacy and educational seminars on topics designed to help member families of individuals with intellectual and related developmental disabilities. Our Arc also supports our State and National Arc's in a broad array of efforts on behalf of the people we support.

For a complete Annual Report contact:

The Charles River Center
Development Office
59 East Militia Heights Road
Needham, MA 02492

EAT WELL/BE FIT NEEDHAM COMMITTEE

A community based health and wellness initiative designed to increase awareness of, and to implement programs that address the healthy balance of nutrition and fitness, in keeping with the initiatives goals. The mission of Eat Well Be Fit Needham Committee is to provide for the Needham community, the educational, motivational, and strategic tools necessary to raise the level of awareness about the importance of health, proper nutrition and physical activity, and to create opportunities for the Needham community to act upon that heightened awareness, in pursuit of optimal health status.

This town-wide committee is composed of concerned professionals consisting of the Needham Health Department, Needham Public Schools, Beth Israel Deaconess Hospital Needham, Nutritionists, Physicians, Needham Park and Recreation Commission, the Massachusetts Department of Public Health and local residents and businesses.

Activities included:

- Received an additional \$7,000 CHNA collaboration grant with the Wellesley Health Dept. to continue to promote important nutrition and physical activity initiatives within each town. Needham received \$4,000, and Wellesley received \$3,000.
- With Healthy Needham 2011 held, '2nd Annual Healthy Needham 2009 Public Health Forum,' on April 29. Many town and community organizations that specialize in health and wellness came to the event including: BID Needham Hospital, Council on Aging, YMCA, Health Department, Youth Commission, local day cares, Needham Public Schools, Needham Police, interfaith organizations, MA DPH, and local residents, etc.
- Held 'Needham Springs Into Action – Week of May 11- 16, 2009,' event week. For each day during that event week a different event centered around nutrition or physical activity was promoted by different town departments, local businesses and organizations (MA DPH, Needham Schools, YMCA, Park and Recreation, Council on Aging, Volante Farms, and Trader Joe's.)
- Taped show with The Needham Cable entitled, 'Cooking for One or Two.' This show featured a variety of easy-to-prepare healthy recipes. Two 30 minute episodes were taped and broadcast on the Needham Channel and distributed to the Council on Aging.
- Committee actively promoting the public schools', 'Safe Routes to Schools/Walk to School Programs' (i.e. National Walk to School Day, Walking School Bus, Walk Across America, etc.). Looking to increase the number of Needham Public Schools currently involved with these walking programs (out of the 7 schools, only 1 school not currently involved.)
- Healthy eating PSA's developed for the Needham Cable Channel. PSAs were taped with the Needham Channel on healthy eating in a local supermarket. These PSAs were aired for a few months, multiple times a day
- Monthly *Eat Well/ Be Fit* column in *The Needham Times*
- Collaborated with other towns and METCO
- Outreach to local restaurants on healthier alternatives to products that contain trans fat.
- Three trainings held for restaurants

DOMESTIC VIOLENCE ACTION COMMITTEE

The Needham Domestic Violence Action Committee (DVAC) was founded in 1994 by the Needham Health Department. DVAC is a community based interagency and interdisciplinary team formed to raise awareness of domestic violence. The mission of this committee is to educate the community, schools and workplace and provide them with outreach programs, resources and referral services. The Police Department and the Health Department co-chair the committee.

Activities have included:

- Self-defense classes for women – Rape Aggression Defense (R.A.D.)
- Funding educational /interactive programs brought to the High School and the Pollard Middle School such as “Yellow Dress”, “Doin’ the Right Thing” and “Remote Control”. These programs address issues on bullying and dating violence, domestic violence and sexual assault.
- Sponsored with DVAC and the Needham Coalition for Suicide Prevention “Doin the Right Thing” for parents of seventh grade parents.
- Dissemination of educational information and displays at Fourth of July, Flea Market and Town Day Fairs.
- \$500 Scholarship to graduating Needham High School Senior
- Donations of gift cards during the holiday season for “survivors of domestic violence”
- Annual “Take Back the Night”- an international rally and march that is organized with the purpose of unifying women, men, and children in an awareness of violence against women, children and families.
- Shelter Alliance – cell phone collection – old cell phones recycled, refurbished and donated to those victims of domestic violence for emergency use.
- Safety Whistles designed, purchased and distributed at displays at the Sidewalk Sales Day and Harvest Fair
- Flyer developed and sent to all municipal employees for Domestic Violence Awareness Month
- Presentation to Beth Israel Deaconess Hospital Grand Rounds on Domestic Violence
- Preview on new video on sexual assault for use in the community and schools by the Community Partnerships to Prevent Child Sexual Abuse (CAP)

NEEDHAM COALITION FOR SUICIDE PREVENTION

The Needham Coalition for Suicide Prevention was organized in May of 2006 as a community response to the recent death by suicide of hour young people. It is a broad based coalition of 35 members reaching out to our town’s diverse constituencies across the age continuum. We believe that suicide is preventable if we work together. Please see the following websites for a detailed report on the committee’s efforts at <http://www.needhamma.gov/health/ncsp> and for information on suicide for all ages please see the following link <http://www.needhamacts.org>

◀ OTHER ▶

METROPOLITAN AREA PLANNING COUNCIL

Created in 1963, the Metropolitan Area Planning Council (MAPC) promotes inter-local cooperation and advocates for smart growth by working closely with cities and towns, state and federal agencies, non-profit institutions, and community-based organizations in the 101 cities and towns of Metropolitan Boston. MAPC strives to provide leadership on emerging issues of regional significance by conducting research, building coalitions, and acting as a regional forum for action.

MAPC provides technical assistance and specialized services in land use planning, water resources management, transportation, housing, environmental protection, economic development, public safety, geographic information systems (GIS), collective purchasing, data analysis and research, legislative and regulatory policy, and the facilitation and support of inter-local partnerships. More information is available at www.mapc.org.

MAPC is governed by 101 municipal government appointees, 21 gubernatorial appointees, and 13 appointees of state and City of Boston agencies. An Executive Committee comprising 25 elected members oversees agency operations. The agency employs approximately 40 professional staff under the leadership of an executive director. Funding for MAPC activities is derived from governmental contracts and foundation grants, and a per-capita assessment on member municipalities.

To better serve the people who live and work in Metro Boston, MAPC has divided the region into eight sub regions. Each subregion is overseen by a council of local leaders and stakeholders, and a staff coordinator provides organizational and technical staff support.

THE THREE RIVERS INTERLOCAL COUNCIL (TRIC)

Canton, Dedham, Dover, Foxborough, Medfield, Milton, Needham, Norwood, Randolph, Sharon, Stoughton, Walpole and Westwood

The Three Rivers Interlocal Council (TRIC) includes thirteen communities southwest of Boston. Taber Keally, Town of Milton, is the Chair. Steve Olanoff, Town of Westwood, is the Co-Chair. The purpose of TRIC is to disseminate information and encourage regional collaboration.

In 2009, TRIC met monthly to discuss issues of local and regional significance. Participants at TRIC meetings can include Local Council Representatives, municipal staff, Town Administrators, and Chambers of Commerce, and business owners. The Local Council Representatives who attend often represent additional town boards and committees as well. TRIC sponsored a Legislative Breakfast in 2009 that brought together members of the Massachusetts State Legislature, municipal officials, and municipal staff for frank discussion of current municipal issues and state response to those issues. TRIC channels information to and from towns. The Boston Region Metropolitan Planning Organization solicits information and perspective from TRIC on annual transportation plans that direct federal infrastructure dollars. Information regarding land use and transportation planning is directed to TRIC communities, information regarding public policy advocacy is directed to elected officials who represent TRIC communities, and TRIC communities comment on issues of significance by submitting comment letters to state and federal officials, and by participating in Environmental Impact Review processes.

Current growth and development issues that are both significant and shared throughout the TRIC communities include the potential for South Coast Rail construction to negatively impact local economic development and to adversely impact privately held property. Also, traffic congestion on municipal roads during peak travel hours currently create unsafe travel conditions as

commuter vehicles avoid congested principal and minor arterial roads to cut through smaller local streets designed to service residential neighborhoods. There is a critical mass of interested municipal staff and citizens within almost every TRIC town that wants to understand parking issues in their town and village centers as a first step to finding the balance between too much and too little parking.

The I-95 Corridor Transportation Study, currently underway and conducted by the Massachusetts Department of Transportation, will evaluate transportation issues in the I-95 and Route 1 corridors from Dedham to Attleboro. Towns in the TRIC subregion are directly impacted by both of these principal arterial roads and are eager for the study to be completed. The timely completion of The Canton Interchanges Project remains a critical concern for TRIC communities.

NORFOLK COUNTY COMMISSIONERS

Francis W. O'Brien, Chairman, of Dedham

John M. Gillis of Quincy

Peter H. Collins of Milton

To the Citizens of Norfolk County:

Incorporated in 1793, the County of Norfolk includes twenty-eight cities and towns, mostly located to the South and West of Boston.

Norfolk County is known as the County of Presidents because it is the birthplace of four Presidents of the United States: John Adams, John Quincy Adams, John F. Kennedy and George Herbert Walker Bush.

County government is responsible for regional services which include the Registry of Deeds, County Agricultural High School, Sheriff's Department, County Engineering, Trial Court facilities Maintenance, Wollaston Recreational Facility, and other departments and services.



John M. Gillis

The national economic crisis which reached a precipitous stage in the fall of 2008 affected both private and public sector activity at every level, and Norfolk County was no exception. County revenues are directly impacted by the real estate and credit markets, which were major centers of the crisis and historic adverse conditions.

The County implemented a range of measures to reduce costs while continuing efforts to maintain and improve services. Although at a reduced level, capital improvements continued to be made to County facilities. A complete list of projects is listed in our County Annual Report.

As in past years, we wish to take this opportunity to thank the County's department heads and employees, as well as elected officials, both state and



Francis W. O'Brien
Chairman



Peter H. Collins

local, for all their efforts on behalf of Norfolk County and its communities.

As County Commissioners, we are privileged to serve you.

NORFOLK COUNTY REGISTRY OF DEEDS

William P. O'Donnell, Register

The Registry of Deeds is the principal office for real property records in Norfolk County. The Registry receives and records hundreds of thousands of documents each year, and is a basic resource for title examiners, mortgage lenders, municipalities, homeowners, and others with a need for land record information. The Registry of Deeds has been a vital component of Norfolk



County since 1793, the year Governor John Hancock signed legislation creating Norfolk County, also known as the County of Presidents - the home or birthplace of John Adams, John Quincy Adams, John F. Kennedy and George H.W. Bush. The Registry operates under the supervision of the elected Register, William P. O'Donnell. In over two hundred years of continuous operation the Registry's objectives have remained the same: accuracy, reliability and accessibility for the residents and communities of Norfolk County.

Improved technology, security and management of records and increased levels of customer service remain areas of major focus for the Registry of Deeds. Initiatives for 2009 include:

- The Registry completed a building sign project by naming a room or building location after each of the previous Registers beginning with the first Norfolk County Register of Deeds, Eliphalet Pond.
- Register O'Donnell's administration recorded its 10,000th volume since the Register took office in 2002.
- The internet accessible indexing system has been expanded back to include references from as early as 1937. Remote access over the internet for complete printing of Registry documents is steadily expanding among a growing number of account holders.
- The full service telephone and walk-in customer service center provided thousands of residents of Norfolk County with quality assistance in all areas of Registry operations.
- The Registry's internet website www.norfolkdeeds.org is regularly updated and enhanced to include recent news, trends, press information, and answers to frequently asked questions.
- Annual community programs coordinated by the Registry now include Suits for Success, a food pantry collection and a Toys for Tots drive.



Register O'Donnell places his administration's 10,000th volume on the shelf in the Chambers Room

Overall real estate activity in 2009 was up in Needham which saw 9,567 documents recorded, an increase of 48% over 2008. Actual land transfers were up by 1% in 2009 with a total of 688 deeds, both for consideration and for nominal consideration, being recorded. The average price of a Needham real estate sale (greater than \$1,000 - residential and commercial properties combined) fell slightly by 2% and at the end of 2009 stood at \$710,014.10. There were 2,817 new mortgages recorded in Needham in 2009 which translates to 61% more than in 2008. Needham homeowners also took advantage of the Massachusetts Homestead law by recording 519 Declarations up 23% from 2008.

NORFOLK COUNTY MOSQUITO CONTROL PROJECT

John J. Smith, Director

The operational program of the Project integrates all proven technologies into an Integrated Pest Management (IPM) system of mosquito control and vector management that is rational, environmentally sensitive and cost effective.



Surveillance: Surveys, inspections, and monitoring in support of our program include GIS mapping of breeding areas, larval and adult collections, and fieldwork evaluations leading to better water management. West Nile virus and Eastern Equine Encephalitis have been active in Norfolk County over the past several years which has resulted in an expansion of the surveillance program in collaboration with the Massachusetts Department of Public Health (MDPH), State Laboratory Institute. MDPH has requested that the Norfolk County Mosquito Control Project expand mosquito surveillance across the county for the purpose of detecting viruses in collected mosquitoes as an early warning system for the residents of the county. Considerable manpower has been reallocated to these efforts, which is not reflected in this report.

All mosquito eggs need water to hatch and to sustain larval growth.

Water Management Activities: An important component of our IPM approach is the management of shallow, standing, stagnant water, and the maintenance of existing flow systems which if neglected can contribute to mosquito breeding. Site visits, pre and post monitoring, photographic documentation, survey measurements, flagging, accessing assessors information, maintenance of paperwork and electronic forms, communication with and/or meeting on site with residents, town/state/federal officials and maintaining regulatory compliance are all important aspects of this program. In addition to normal drainage system maintenance, Project personnel advise residents on removal of water holding artificial containers on their property for the purpose of eliminating potential West Nile virus mosquito breeding habitat.

Drainage ditches checked/cleaned 8,620 feet Culverts checked /cleaned 32 culverts

Larval Control: Treatment of mosquito larvae during aquatic development is the next most effective control effort. These applications were conducted after devoting many man hours to

collecting larval data which is used for targeting purposes as well as for determining efficacy of these applications. The products used during these applications were Bti (*Bacillus thuringiensis israelensis*) and Methoprene.

Aerial larvicide applications	253 acres
Larval control - briquette & granular applications by hand	1.0 acre
Rain Basin treatments – briquettes by hand (West Nile virus control)	1,786 basins

Adult Control: The suppression of flying adult mosquitoes becomes necessary when they are numerous, annoying, and/or threaten public health. These applications are conducted based on residential complaints as well as by analyzing adult mosquito population data collected from light traps. Additional applications may have occurred following identification of mosquito born viruses such as West Nile virus and Eastern Equine Encephalitis. The product used during these applications was Sumithrin.

Adult control aerosol applications from trucks	3,055 acres
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TOWN OFFICIALS

ELECTED

Assessors

Thomas P. Colarusso
Edmund Donnelly (resigned 4/13/09)
Kevin J. Foley
Damon Borrelli (elected 4/14/09)

Board of Health

Peter Stephen Connolly, M.D.
Edward V. Cosgrove, Ph.D.
Stephen K. Epstein

Commissioners of Trust Funds

Patricia Falcao
Joseph P. Scalia
William J. Supple (resigned 4/13/09)

Constables

Paul F. Hunt
Charles G. Wright

Housing Authority

Cheryl Gosmon
Terence Noonan
Sheila G. Pransky
Robert Stegman (State Appointee)

Moderator

Michael K. Fee

Park and Recreation Commission

Cynthia J. Chaston
William R. Dermody (resigned 4/13/09)
Christopher R. Dollase
Thomas M. Jacob (elected 4/14/09)
Brian Nadler
Philip V. Robey

Planning Board

Bruce T. Eisenhut
Martin Jacobs
Jeanne S. McKnight
Ronald W. Ruth
Sam Bass Warner (appointed 6/15/09)

School Committee

Joseph P. Barnes
Connie Barr
Heidi C. Black (elected 4/14/09)
Marianne B. Cooley
Laura J. Flueckiger (resigned 4/13/09)
Donald B. Gratz (resigned 4/13/09)
Michael Greis
John O'Leary
William J. Paulson (elected 4/14/09)

Selectmen

John A. Bulian
Denise C. Garlick
Maurice P. Handel (elected 4/14/09)
James G. Healy (resigned 4/13/09)
Daniel P. Matthews
Gerald A. Wasserman

Town Clerk

Theodora K. Eaton

Trustees of Memorial Park

Dave DiCicco
John Gallelo
Charles J. Mangine
Joseph J. McSweeney
Ron Sockol

Trustees of Public Library

Lois C. Bacon
Rose Doherty
Thomas M. Harkins
Margaret Pantridge
Sally B. Powers
Gregory John Shesko
Lois Sockol

APPOINTED BY THE BOARD OF SELECTMEN

Town Manager

Kate Fitzpatrick

Town Counsel

David S. Tobin

Ad Hoc Insurance Advisory Committee

Richard Davis
David Davison (ex officio)
Niels H. Fischer
Albert H. Shapiro
Paul Winnick

Board of Appeals

Gregory J. Condon
Peter Friedenberg
Howard S. Goldman
Jon D. Schneider
Jonathan D. Tamkin

Cable Television / Advisory Committee

John Fountain
Michael Greis
Tom Loughran
Michael J. Riley
Jonathan D. Tamkin

Commission on Disabilities

Susan Crowell
Beverly Foster
Debbi Heller
Jeanie Martin
Karen Pierce
Susan Rains
Elaine Saunders
Patrice Snellings (associate member)
Andy Wise
Colin (Dale) T. Wise

Conservation Commission

Paul Alpert
Janet Bernardo
Marsha Salett
Carl Shapiro
Sharon Soltzberg
Dawn Stolfi Stalenhoef
Lisa Standley

Cultural Council

Noreen Burdett
Abby Cheng
Jean Cronin Connolly
Sally Dempsey
Claire Dee Ecsedy
Sheryl Edsall (appointed 1/13/09)
Lisha Goldberg (appointed 1/13/09)
Suzanne Heffernan

Alice Kelleher
Kathleen Leahy
Cynthia Lingley
Claire Messing
Louise Miller
Ann Munstedt
Kathleen Rowe
Suzanne Saevitz
Hallie Sammartino (appointed 1/13/09)
Robert Whitten, IV

Council of Economic Advisors

Glen Cammarano
Jack Cogswell
Jay Doherty
John Edgar
Kate Fitzpatrick (ex officio)
Denise C. Garlick
Howard Goldman
Maurice P. Handel
Bob Hentschel
Timothy Kickham
Mark E. Silverman
Matt Talcoff

Golf Course Advisory Committee

Jonathan Bean
Roy Cramer
Jane Howard
Michael Mahoney
Robert J. Moore, Jr.
Jon Schneider
Richard M. Reilly

Historical Commission

Carol J. Boulris
John H. Cogswell
Gloria P. Greis
Robert D. Hall, Jr.
Richard C. Hardy
Joel H. Lebow
Sandra Tobin

Human Rights Committee

Christopher A. Baker
John Buehrens
Paul F. Dellaripa
Marjorie Lynne Freundlich
Liora Harari
Mark Smith
Mike Vaughn
Sandra Walters

Local Emergency Planning Committee

Janice Berns
Paul Buckley
Jim Alessandroni
Bill Arsenault
Seymour Bigman
Kevin Burke
Tom Campbell
Donna Carmichael
Christopher Coleman
Walter Collins
Al Delulio
Mike Fahey
Kate Fitzpatrick
Wolfgang Floitgraf
John D. Fountain
Barbara Flynn
Jamie McWilliam
Eugene Giromini
Alan Glou
Sheila Hamwey
Caley P. Heckman
Jennifer Hitt
Natasha Glusco
John Jackson
John Kraemer
Chip Laffey
Ken LeClair
David Levine
Kathy Lewis
Robert Lewis
Roger MacDonald
Heather MacKay
Joe Mackinnon
Marc Mandel
Ann Martello
Nick Martin
Corey McNulty
Richard Merson
John O'Brien
Robert Osgood
Susan Pacheco
Karen Peirce
Mike Schwinden
Mimi Stamer
Kevin G. Trottier
Annemarie Walsh

Needham Cable Television**Development Corporation (NCTDC)**

Robert Boder
John Fountain
Arnold M. Goldstein
Michael Greis
Tom Loughran
Michael Riley
Robert Stegman
Jonathan Tamkin

Needham Community Revitalization**Fund Committee**

Carol deLemos
Morris Dettman
Paul Good
Timothy Kickham
MaryRuth Perras

Registrars of Voters

John W. Day
Barbara B. Doyle
Theodora K. Eaton (ex officio)
Mary J. McCarthy

Senior Center Exploratory Committee

Matthew Borrelli
Marianne Cooley
Lawrence Cummings
Carol deLemos
Denise Garlick
James Healy
Jay Kaplan
Melinda Lombardo
Lianne Relich
Colleen Schaller
Mary Elizabeth Weadock

Solid Waste & Recycling Advisory Committee

William Connors
Jeffrey Heller
Mary Kenslea
Pralay Som
Irwin Silverstein

Taxation Aid Committee

Elizabeth Handler
Patricia Harris
Helen Newton
Evelyn Poness (ex officio)

Technology Advisory Board

Peter M. Anderson
Linda Conneely (ex officio)
David Davison (ex officio)
Wade Davis (appointed 12/17/08)
Thomas Keating (appointed 12/17/08)
Ann Gulati (ex officio)
Steven B. Handler
Joanne Kossuth, non-voting Technical
Advisor
Roger MacDonald (ex officio)
Carl Rubin

Town Hall Display Committee

Helen Newton
Fay Remnitz

Traffic Management Advisory Committee

David Callaghan (appointed 1/13/09)
John H. Cogswell (resigned 1/14/09)
Anthony Del Gaizo
Kate Fitzpatrick
Paul Gordon
Lt. John Kraemer
Margaret Murphy (appointed 1/13/09)
Meredith Page
Thomas Stokes
Rebecca Turner (appointed 1/13/09)

Water and Sewer Rate

Structure Committee

John P. Cosgrove, Jr.
Tom Loughran
Nick Renzulli
John Tallarico

APPOINTED BY THE MODERATOR

Finance Committee

Scott M. Brightman
Richard S. Creem
David J. Escalante
Richard Reilly
Steven M. Rosenstock
Michael A. Taggart
Lisa Zappala
Richard Zimbone

Personnel Board

John Dennis
Patricia A. Forde
Joseph Herlihy
Vivian Hsu
Richard Lunetta

OTHER APPOINTED BOARDS

Community Preservation Committee

Janet Bernardo
Jack Cogswell
John Comando
Bruce T. Eisenhut
Mark Gluesing
Jane Howard
Brian Nadler
Sheila Pransky
Paul A. Siegenthaler

Council on Aging

Roma Jean Brown
Carol deLemos
James Q. Dolan (appointed 1/13/09)
Daniel Goldberg
Risa Greendlinger (appointed 1/27/09)
Helen K. Hicks
Susanne Hughes
Andrea Rae
Colleen Schaller
Derrek Shulman
Nina Silverstein
Betsy Tedoldi (resigned 10/14/08)
Mary Elizabeth Weadock

Contributory Retirement Board

Kate Fitzpatrick
John P. Krawiecki, by vote of employees
and retirees
Robert Mearls, by members
of the Retirement Board
Evelyn M. Poness
Thomas A. Welch, II, by vote of employees
and retirees

Design Review Board

Eugene R. Bolinger
Mark Gluesing
Richard M. Reilly, Jr. (alternate- appointed
1/27/09)

Deborah Robinson
Stephen Tanner
Timothy Tierney (alternate)
Nancy Wright

Future School Needs Committee

Heidi Black
David P. Coelho
Marianne Cooley
Ann DerMarderosian
James Lamenzo, Chair
Marjorie Margolis
Mary Riddell
Roger Toran

Permanent Public Building Committee

Joseph Carroll (resigned 12/31/08)
Stuart Chandler
John Connelly (resigned 12/31/08)
John J. Keene, Jr. (2/11/09)
George Kent
Steven Popper, Dir. Constr. & Renovation
Mark H. Presson (appointed 2/11/09)
Paul Salamone
Irwin Silverstein

Transportation Committee

Duncan Allen
Richard Creem
Linda Hoard
Jane A. Howard
Steven McKnight

Youth Commission

Connie Barr
Ian Campbell
Sara Cocuzzo
Ronnie Haas
Doug Levy
Cathy Lunetta
Vincent Springer
Debbie Winnick

APPOINTED BY TOWN MANAGER

Animal Control Officer

Danielle Landry

Assistant Town Manager/Finance

David Davison

Assistant Town Manager/Personnel

Christopher Coleman

Director of Emergency Management

Paul F. Buckley, Jr.

Director of MIS

Roger S. MacDonald

Director of Public Works

Richard P. Merson

District Director of Veterans' Services

Veterans' Burial Agent

Veterans' Graves Officer

John J. Logan, Jr.

Fire Chief / Superintendent of Fire

Alarms/Forest Warden

Paul F. Buckley

Inspector of Buildings

Daniel P. Walsh

Inspector of Plumbing and Gas

William Kinsman

Inspector of Wiring

Scott Chisholm

Police Chief / Keeper of the Lockup

Thomas J. Leary

Sealer of Weights and Measures

John Horgan

Supervisor, Garage & Equipment

Stephen J. Hawes

Superintendent, Highway

Rhainhardt Hoyland

Superintendent, Parks /Forestry Tree Warden

Lance Remsen

Superintendent, Water/Sewer

Robert. A Lewis

Town Accountant

Michelle Vaillancourt

Town Engineer

Anthony Del Gaizo

Treasurer and Tax Collector

Evelyn M. Poness

Administrative Assessor

Hoyt Davis

Assistant Town Clerk

Helen Atkinson

Building Construction and Renovation

Manager

Steven Popper

Director of Public Facilities Operations

Chip Laffey

Director of Public Health

Janice Berns

Director of Youth Services

Jon Mattleman

Environmental Health Agent

Tara Gurge

Executive Director, Council on Aging

Jamie Brenner Gutner

Library Director

Ann MacFate

Planning Director

Lee Newman

Park and Recreation Director

Patricia M. Carey

**APPOINTED BY ELECTED
OR APPOINTED BOARDS**

**Executive Director, Needham Housing
Authority**

Margaret K. Plansky

Executive Secretary to Finance Committee

Louise Miller

Superintendent of Schools

Daniel E. Gutekanst

FISCAL YEAR 2009 TOWN MEETING MEMBERS

At Large 2010

Joseph P. Barnes
 John A. Bulian
 Thomas P. Colarusso
 David C. DiCicco
 Theodora K. Eaton
 Stephen K. Epstein
 Michael K. Fee
 Denise C. Garlick
 Maurice P. Handel
 Daniel P. Matthews
 Jeanne S. McKnight
 Brian S. Nadler
 Margaret Leslie Pantridge
 Gerald A. Wasserman

Precinct A

2010

Alan J. Davidson
 Alan S. Fanger
 Lee Garf
 Mary Lee Kelly
 Christopher A. Maxwell
 Elizabeth M. Sargent
 George Tarallo
 John R. Wallace

2011

Michael A. Cerundolo
 Richard S. Creem
 John D. Genova
 Donald B. Gratz
 Karen N. Price
 Louise I. Schnieder
 Nina Silverstein
 Irwin Silverstein

2012

Erik J. Bailey
 Scott D. Butchart
 Cheryl Gosmon
 Walter D. Herrick
 Leslie A. Kalish
 Mary E. Keane-Hazzard
 Norman F. O'Brien, Jr.
 Nicholas P. Sterling

Precinct B

2010

George Baierlein
 Mark Goldberg
 James G. Healy
 James H. McEvoy
 Richard B. Moody
 Kim Marie Nicols
 Caroline W. Sabin

2011

Deborah H. Anastas
 William G. Doyle
 Scott McConchie
 Glenn S. Orenstein
 Meredith P. Page
 Gerald C. Rovner
 Sarah Ann Toran

2012

Damon J. Borrelli
 John J. Frankenthaler
 David C. Harris
 Thomas M. Jacob
 Kevin T. Pendergast
 Steven Rosenstock
 Mindy A. Merow Rubin

Precinct C

2010

Joseph Barnes
 Bruce S. Barnett
 Scott M. Brightman
 William H. Dugan, Jr.
 James O. Fleckner
 Andrew D. Gluesing
 Daniel L. Lintz
 Charles J. McCann

2011

Paul S. Alpert
 Peter A. Alpert
 Jan D. Campbell
 Mark J. Gluesing
 James D. Masterman
 Claire Patricia Messing
 Sandra Balzer Tobin

Adalaide C. Young

2012

Sharyn Areano Greenstein
 Russell S. Broad, Jr.
 John H. Haslip
 Louise L. Miller
 Sheila G. Pransky
 Debra Mann Schmill
 Paul B. Tillotson
 Lisa W. Zappala

Precinct D

2010

Lois C. Bacon
 Heidi C. Black
 Bruce T. Eisenhut
 Roger B. Hunt
 Kathleen M. Lewis
 Jeffrey B. Megar
 Thomas F. Soisson
 Arthur Walitt

2011

Roy A. Cramer
 Kathryn L. D'Addesio
 Jill S. Daly
 Kevin J. Daly
 Ann Dermarderosian
 Jennifer L. Kagan
 Gregory John Shesko
 Ralph A. Toran

2012

Holly Anne Clarke
 Cynthia Conturie
 David R. Cox
 Christopher R. Dollase
 Richard S. Mann
 Aaron M. Pressman
 David J. Sexton
 Madeline Ann Wolfield

Precinct E

2010

Cynthia J. Chaston
 Mark P. Fachetti

Irene M. Francesconi
Linda J. Novak
Maryruth Perras
Julie E. Stevens
Marilyn G. Tedoldi
Sam B. Warner

2011

Constance S. Barr
Ann M. Cosgrove
Linda J. George
Jane A. Howard
Ronald W. Ruth
William J. Supple
Sean C. Sweeney
Michael R. Tedoldi

2012

Michelle S. Ardini
Theodore M. Crowell
Lawrence R. Cummings
Paul J. Durda
Kurt M. Mullen
Ford H. Peckham
Philip V. Robey
Paul A. Siegenthaler

Precinct F

2010

Kevin B. Delaney
Stephen L. Dornbusch
Cathy M. Freedberg
Carl Goldstein
Richard G. Lyons
Carolyn R. McIver
Jeanne S. McKnight
Jennifer S. Sexton
Laura S. Terzian

2011

Gilbert W. Cox, Jr.
Gail E. Davis
Richard W. Davis
John F. Milligan
Michael L. Niden
James Hugh Powers
Deborah S. Winnick
William A. Zoppo

2012

Matthew D. Borrelli
Richard M. Freedberg
Alexander R. Garlick
Jeffrey D. Heller
Daniel J. Kumin
Michael McKay
Brian S. Nadler
William J. Okerman

Precinct G

2010

Paula R. Callanan
Richard DeMeis
Robert T. Heald
Jane O. Johnson
Maureen T. McCaffrey
Michael A. Taggart
Timothy P. Tierney
Daniel C. Wright

2011

Susan W. Abbott
Patricia B. Buckley
Fran Gallagher
Kathleen J. O'Keeffe
Jill E. Owens
Barbara K. Popper
Kathleen D. Robey
Susan Welby

2012

Paul H. Attridge
Peter W. Beacham, Jr.
William F. Connors
Michael J. Crawford
Pamela C. Freedman
Thomas M. Harkins
Charlotte B. Sidell
Peter B. Smulowitz

Precinct H

2010

John E. Comando
Richard B. Dagen
Michael C. Kardok
Laura London
Terence P. Noonan

Richard J. Savage, Jr.
Ron Sockol
Richard A. Zimbone

2011

Heinz R. Brinkhaus
Robert Y. Larsen
Marjorie M. Margolis
Nancy E. McCarthy
Martha M. McMahon
Paul T. Milligan
Jeffrey S. Shapiro
Joan S. Smith

2012

Julia Satti Cosentino
M. Patricia Cruickshank
Kevin J. Foley
Paul M. Gordon
Elizabeth P. Handler
Jeffrey Kristeller
Lois F. Sockol
Harmony H. Wu

Precinct I

2010

John P. Connelly
Peter Stephen Connolly
David J. Escalante
Thomas W. Higgins
Jill C. Kahn-Boesel
Lorraine M. Murphy
Nancy E. Sexton
Rachel Ann Weinstock

2011

Paul F. Denver
Claire Dee Ecsedy
Richard W. Gatto
Thomas H. Hannigan, Jr.
John P. O'Leary
Paul Robey III
Maura O. Walsh
Kathleen D. Whitney

2012

Elaine M. Becker
Joel S. Golden

Wallace W. Johnston
Stephen C. Kagan
Peter J. Pingitore
Nicholas S. Renzulli
Leslie Ann Renzulli
Paul V. Riley
June C. Seraydar

Precinct J

2010

Catherine J. Barker
Marianne B. Cooley
George F. Kent
Robert A. Downs
Donna M. Mullin
Sara Orozco
Emily M. Salaun
Paul G. Smith

2011

Laura A. Brooks
Maria E. DeLuzio
William R. Dermody
Leigh M. Doukas
Barbara J. Downs
Michael J. Greis
Betsy M. Tedoldi
Rebecca C. Turner

2012

James S. Bonasia
Stuart B. Chandler
George C. Doukas
Caroline B. Edge
Michael M. Mathias
Marcia C. Mather
Anne M. Murphy
Jane B. Murphy

TOWN OF NEEDHAM RETIREE INFORMATION
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<u>RETIREMENTS</u>	<u>DEPARTMENT</u>	<u>YEARS OF SERVICE</u>
Shirley Cleland	School	32.083
Gail Davis	School	28.417
Thomas Grimes	Public Facilities	16.000
Robert Harris	Public Works	39.500
William McDaniel	Fire	32.500
Eileen Mecagni	School	17.167
David Nigro	Fire	35.000
Jeanne Tedesco	Public Works	32.917
Kathleen Tilburg	School	10.833

IN MEMORIAM

<u>RETIREMENTS</u>	<u>DEPARTMENT</u>	<u>YEARS OF SERVICE</u>
William Barry	Hospital	15.750
Harriet Brooks	School	6.250
David Eldridge	Police	30.250
Nicholas Fiorentino	Public Works	28.000
Eda Fioretti	School	15.833
Ernest Marston	Fire	32.500
Emily Mastropieri	Police	30.167
Evangeline Mirageas	Hospital	15.750
Raymond O'Day	Fire	28.000
Frank Sabina	Public Facilities	12.250
Bobette Wicks	Hospital	10.333

APPENDICES

**Town of Needham
General Fund
Balance Sheet
Year Ended June 30, 2009**

	<u>General</u>
<u>ASSETS</u>	
Cash and short-term investments	\$ 12,148,448
Investments	\$ 6,124,701
Receivables:	
Property taxes	\$ 2,324,649
Excises	\$ 403,967
Departmental	\$ 610,406
Intergovernmental	\$ 10,435,342
Betterments	\$ -
Other	\$ -
Other assets	\$ -
Total Assets	<u>\$ 32,047,513</u>
<u>LIABILITIES</u>	
Warrants and accounts payable	\$ 3,264,886
Deferred revenue	\$ 13,600,123
Accrued liabilities	\$ 1,472,630
Due to other Governments	\$ -
Retainage payable	\$ -
Refunds payable	\$ 323,063
Anticipation notes payable	\$ -
Other liabilities	\$ 114,277
Total Liabilities	<u>\$ 18,774,979</u>
<u>FUND BALANCES</u>	
Reserved for encumbrances	\$ 2,347,165
Reserved for other specific purposes	\$ 1,070,211
Reserved for expenditures	\$ 3,714,789
Unreserved:	
Undesignated	\$ 6,140,369
Total Fund Balance	<u>\$ 13,272,534</u>
Total Liabilities and Fund Balance	<u>\$ 32,047,513</u>

**Town of Needham
Enterprise Funds
Statement of Net Assets
Year Ended June 30, 2009**

	<u>RTS</u>	<u>Sewer</u>	<u>Water</u>
<u>ASSETS</u>			
Current Assets:			
Cash and short-term investments	\$ 1,307,639	\$ 5,137,432	\$ 4,869,285
Receivables	\$ 100,228	\$ 2,051,206	\$ 1,599,702
Other current assets	\$ 447	\$ -	\$ -
Total Current Assets	\$ 1,408,314	\$ 7,188,638	\$ 6,468,987
Noncurrent Assets:			
Land and construction in progress	\$ 5,007,443	\$ 6,853,050	\$ 4,535,719
Other capital assets, net of accumulated depreciation	\$ 1,772,092	\$ 10,409,989	\$ 23,608,130
Total Noncurrent Assets	\$ 6,779,535	\$ 17,263,039	\$ 28,143,849
Total Assets	\$ 8,187,849	\$ 24,451,677	\$ 34,612,836
<u>LIABILITIES</u>			
Current Liabilities:			
Accounts payable	\$ 16,576	\$ 619,399	\$ 462,911
Accrued payroll	\$ 16,027	\$ 15,067	\$ 33,867
Accrued liabilities	\$ -	\$ 17,687	\$ 39,319
Retainage payable	\$ -	\$ 310,135	
Notes payable	\$ 48,400	\$ -	\$ 235,000
Other liabilities	\$ 29,166	\$ 105,999	\$ -
Current portion of long-term liabilities:			
Bonds payable	\$ 50,000	\$ 809,294	\$ 1,153,070
Compensated absences	\$ 32,324	\$ 48,927	\$ 33,961
Total current liabilities	\$ 192,493	\$ 1,926,508	\$ 1,958,128
Noncurrent Liabilities			
Bonds payable, net of current portion	\$ 50,000	\$ 5,384,963	\$ 6,406,892
Total Liabilities	\$ 242,493	\$ 7,311,471	\$ 8,365,020
<u>NET ASSETS</u>			
Invested in capital assets, net of related debt	\$ 6,883,694	\$ 11,746,234	\$ 20,564,784
Unrestricted	\$ 1,061,662	\$ 5,393,972	\$ 5,683,032
Total Net Assets	\$ 7,945,356	\$ 17,140,206	\$ 26,247,816

**Town of Needham
General Fund
Statement of Budget Appropriations and Expenditures
Year Ended June 30, 2009**

Description	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Finance Committee and Town Manager Approved Transfers	Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
Town Wide Expense								
General Government	\$28,201,561	(\$55,000)	(\$1,354,235)	\$26,792,326	(\$26,052,038)	(\$105,839)	(\$26,157,877)	\$634,449
Land Use & Development	\$3,443,513		\$125,128	\$3,568,641	(\$3,293,201)	(\$140,790)	(\$3,433,991)	\$134,650
Public Safety	\$314,606		\$7,859	\$322,465	(\$308,818)	(\$1,850)	(\$310,668)	\$11,797
Education	\$11,212,279	\$16,232	\$28,090	\$11,256,601	(\$10,782,124)	(\$79,615)	(\$10,861,740)	\$394,861
Public Works	\$43,029,143	(\$16,232)		\$43,012,911	(\$41,527,513)	(\$815,031)	(\$42,342,544)	\$670,367
Public Facilities	\$5,130,449		\$945,950	\$6,076,399	(\$5,769,309)	(\$181,638)	(\$5,950,947)	\$125,452
Community Services	\$6,905,074		\$202,007	\$7,107,081	(\$6,610,659)	(\$396,337)	(\$7,006,996)	\$100,085
	\$2,757,387		\$45,201	\$2,802,588	(\$2,740,131)	(\$1,855)	(\$2,741,987)	\$60,601
Total	\$100,994,012	(\$55,000)		\$100,939,012	(\$97,083,794)	(\$1,722,956)	(\$98,806,750)	\$2,132,262
								\$0
Town Wide Expenses								
1 Retirement (Chapter 34)	\$119,000			\$119,000	(\$91,508)		(\$91,508)	\$27,492
2 Retirement Contributory System	\$4,121,326			\$4,121,326	(\$4,042,197)		(\$4,042,197)	\$79,129
3 Health Insurance	\$8,258,510			\$8,258,510	(\$7,789,948)	(\$103,967)	(\$7,893,915)	\$364,595
4 Insurance Liability Fund (Chapter 10 Acts 2002)	\$3,702,211			\$3,702,211	(\$3,702,211)		(\$3,702,211)	
5 Unemployment Compensation	\$88,400			\$88,400	(\$42,933)		(\$42,933)	\$45,467
6 Debt Service	\$9,562,263			\$9,562,263	(\$9,545,423)		(\$9,545,423)	\$16,840
7 Worker's Compensation	\$385,000			\$385,000	(\$383,084)	(\$1,872)	(\$384,956)	\$44
8 Property Self Insurance (Chapter 40, Section 13)	\$500,000			\$500,000	(\$454,735)		(\$454,735)	\$45,265
9 Performance Pay Pool*	\$265,000	(\$55,000)	(\$154,384)	\$55,616				\$55,616
10 Reserve Fund*	\$1,199,851		(\$1,199,851)					
Town Wide	\$28,201,561	(\$55,000)	(\$1,354,235)	\$26,792,326	(\$26,052,038)	(\$105,839)	(\$26,157,877)	\$634,449
* Direct expenditure is not allowed, only transfers to other budget lines.								
Board of Selectmen & Town Manager								
11A Salary & Wages	\$578,402		\$7,697	\$586,099	(\$575,560)		(\$575,560)	\$10,539
11B Expenses	\$166,450			\$166,450	(\$112,073)	(\$27,507)	(\$139,580)	\$26,870
Total	\$744,852		\$7,697	\$752,549	(\$687,634)	(\$27,507)	(\$715,141)	\$37,408
Town Clerk & Board of Registrars								
12A Salary & Wages	\$272,403		\$3,924	\$276,327	(\$269,498)		(\$269,498)	\$6,829
12B Expenses	\$36,535			\$36,535	(\$28,146)	(\$6,650)	(\$34,797)	\$1,738
Total	\$308,938		\$3,924	\$312,862	(\$297,644)	(\$6,650)	(\$304,295)	\$8,567
Town Counsel								
13A Salary & Wages	\$65,355		\$1,624	\$66,979	(\$66,886)		(\$66,886)	\$93
13B Expenses	\$193,500		\$48,000	\$241,500	(\$229,549)	(\$683)	(\$230,232)	\$11,268
Total	\$258,855		\$49,624	\$308,479	(\$296,436)	(\$683)	(\$297,119)	\$11,360

Town of Needham

General Fund

Statement of Budget Appropriations and Expenditures

Year Ended June 30, 2009

Description	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Finance Committee and Town Manager Approved Transfers	Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
Personnel Board								
14A Salary & Wages	\$1,601		\$40	\$1,641	(\$288)		(\$288)	\$1,353
14B Expenses	\$10,000			\$10,000		(\$10,000)	(\$10,000)	
Total	\$11,601		\$40	\$11,641	(\$288)	(\$10,000)	(\$10,288)	\$1,353
Finance Department								
15A Salary & Wages	\$1,304,013	(\$22,500)	\$14,729	\$1,296,242	(\$1,220,845)		(\$1,220,845)	\$75,397
15B Expenses	\$760,807	\$22,500	\$47,800	\$831,107	(\$732,677)	(\$95,950)	(\$828,627)	\$2,480
15C Equipment	\$25,000			\$25,000	(\$27,007)		(\$27,007)	(\$2,007)
Total	\$2,089,820		\$62,529	\$2,152,349	(\$1,980,529)	(\$95,950)	(\$2,076,480)	\$75,869
Finance Committee								
16A Salary & Wages	\$28,547		\$1,314	\$29,861	(\$29,748)		(\$29,748)	\$113
16B Expenses	\$900			\$900	(\$922)		(\$922)	(\$22)
Total	\$29,447		\$1,314	\$30,761	(\$30,670)		(\$30,670)	\$91
General Government	\$3,443,513		\$125,128	\$3,568,641	(\$3,293,201)	(\$140,790)	(\$3,433,991)	\$134,650
Planning Board								
17A Salary & Wages	\$197,130	(\$5,000)	\$4,661	\$196,791	(\$192,516)		(\$192,516)	\$4,275
17B Expenses	\$16,260	\$5,000		\$21,260	(\$19,014)	(\$1,156)	(\$20,170)	\$1,090
Total	\$213,390		\$4,661	\$218,051	(\$211,529)	(\$1,156)	(\$212,685)	\$5,366
Conservation Commission								
18A Salary & Wages	\$64,730		\$1,618	\$66,348	(\$63,620)		(\$63,620)	\$2,728
18B Expenses	\$8,105			\$8,105	(\$3,955)	(\$520)	(\$4,475)	\$3,630
Total	\$72,835		\$1,618	\$74,453	(\$67,575)	(\$520)	(\$68,096)	\$6,357
Board of Appeals								
19A Salary & Wages	\$25,091		\$927	\$26,018	(\$25,953)		(\$25,953)	\$65
19B Expenses	\$3,290		\$653	\$3,943	(\$3,760)	(\$173)	(\$3,933)	\$10
Total	\$28,381		\$1,580	\$29,961	(\$29,713)	(\$173)	(\$29,887)	\$74
Land Use & Development	\$314,606		\$7,859	\$322,465	(\$308,818)	(\$1,850)	(\$310,668)	\$11,797
Police Department								
20A Salary & Wages	\$4,502,553	\$16,232	\$10,364	\$4,529,149	(\$4,306,577)		(\$4,306,577)	\$222,572
20B Expenses	\$272,606			\$272,606	(\$194,705)	(\$59,388)	(\$254,093)	\$18,513
20C Equipment	\$138,034			\$138,034	(\$126,535)		(\$126,535)	\$11,500
Total	\$4,913,193	\$16,232	\$10,364	\$4,939,789	(\$4,627,817)	(\$59,388)	(\$4,687,205)	\$252,584

**Town of Needham
General Fund
Statement of Budget Appropriations and Expenditures
Year Ended June 30, 2009**

Description	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Finance Committee and Town Manager Approved Transfers	Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
Fire Department								
21A Salary & Wages	\$5,606,826		\$9,958	\$5,616,784	(\$5,558,077)		(\$5,558,077)	\$58,707
21B Expenses	\$261,988			\$261,988	(\$167,335)	(\$20,227)	(\$187,562)	\$74,426
Total	\$5,868,814		\$9,958	\$5,878,772	(\$5,725,412)	(\$20,227)	(\$5,745,639)	\$133,133
Building Inspector								
22A Salary & Wages	\$414,590		\$7,768	\$422,358	(\$413,513)		(\$413,513)	\$8,845
22B Expenses	\$15,682			\$15,682	(\$15,383)		(\$15,383)	\$299
Total	\$430,272		\$7,768	\$438,040	(\$428,896)		(\$428,896)	\$9,144
Public Safety	\$11,212,279	\$16,232	\$28,090	\$11,256,601	(\$10,782,124)	(\$79,615)	(\$10,861,740)	\$394,861
Minuteman Regional High School Assessment								
23 Total	\$377,427			\$377,427	(\$377,427)		(\$377,427)	
Needham Public Schools								
24 Total	\$42,651,716	(\$16,232)		\$42,635,484	(\$41,150,086)	(\$815,031)	(\$41,965,117)	\$670,367
Education	\$43,029,143	(\$16,232)		\$43,012,911	(\$41,527,513)	(\$815,031)	(\$42,342,544)	\$670,367
Department of Public Works								
25A Salary & Wages	\$3,111,145		\$26,800	\$3,137,945	(\$3,092,543)		(\$3,092,543)	\$45,402
25B Expenses	\$1,286,904			\$1,286,904	(\$1,100,784)	(\$117,592)	(\$1,218,376)	\$68,528
25C Capital	\$200,000		\$919,150	\$1,119,150	(\$1,130,516)		(\$1,130,516)	(\$11,366)
25D Snow and Ice	\$4,598,049		\$945,950	\$5,543,999	(\$5,323,843)	(\$117,592)	(\$5,441,434)	\$102,565
Total								
Municipal Parking Program								
26 Total	\$203,900			\$203,900	(\$181,321)		(\$181,321)	\$22,579
Municipal Street Lighting Program								
27 Total	\$328,500			\$328,500	(\$264,145)	(\$64,047)	(\$328,192)	\$308
Public Works	\$5,130,449		\$945,950	\$6,076,399	(\$5,769,309)	(\$181,638)	(\$5,950,947)	\$125,452

**Town of Needham
General Fund**

**Statement of Budget Appropriations and Expenditures
Year Ended June 30, 2009**

Description	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Finance Committee and Town Manager Approved Transfers	Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
Public Facilities								
28A Salary & Wages	\$2,590,614		\$17,759	\$2,608,373	(\$2,605,957)		(\$2,605,957)	\$2,416
28B Expenses	\$4,307,460		\$184,248	\$4,491,708	(\$3,997,702)	(\$396,337)	(\$4,394,039)	\$97,669
28C Capital	\$7,000			\$7,000	(\$7,000)		(\$7,000)	
Total	\$6,905,074		\$202,007	\$7,107,081	(\$6,610,659)	(\$396,337)	(\$7,006,996)	\$100,085
Public Facilities								
	\$6,905,074		\$202,007	\$7,107,081	(\$6,610,659)	(\$396,337)	(\$7,006,996)	\$100,085
Board of Health								
29A Salary & Wages	\$360,069		\$3,997	\$364,066	(\$356,976)		(\$356,976)	\$7,090
29B Expenses	\$69,463			\$69,463	(\$67,868)	(\$269)	(\$68,137)	\$1,326
Total	\$429,532		\$3,997	\$433,529	(\$424,844)	(\$269)	(\$425,113)	\$8,416
Diversified Community Social Services								
30A Salary & Wages	\$491,742		\$10,097	\$501,839	(\$478,974)		(\$478,974)	\$22,865
30B Expenses	\$39,361			\$39,361	(\$31,135)	(\$323)	(\$31,458)	\$7,903
Total	\$531,103		\$10,097	\$541,200	(\$510,109)	(\$323)	(\$510,432)	\$30,768
Commission on Disabilities								
31A Salary & Wages	\$550			\$550	(\$81)	(\$249)	(\$330)	\$220
31B Expenses	\$550			\$550	(\$81)	(\$249)	(\$330)	\$220
Total	\$1,050			\$1,050				
Historical Commission								
32A Salary & Wages	\$1,050			\$1,050				\$1,050
32B Expenses	\$1,050			\$1,050				\$1,050
Total	\$2,100			\$2,100				
Needham Public Library								
33A Salary & Wages	\$1,009,467		\$24,074	\$1,033,541	(\$1,033,541)		(\$1,033,541)	(\$0)
33B Expenses	\$250,959			\$250,959	(\$249,222)	(\$434)	(\$249,657)	\$1,302
Total	\$1,260,426		\$24,074	\$1,284,500	(\$1,282,763)	(\$434)	(\$1,283,198)	\$1,302
Park and Recreation Department								
34A Salary & Wages	\$423,101		\$7,033	\$430,134	(\$414,512)		(\$414,512)	\$15,622
34B Expenses	\$110,875			\$110,875	(\$107,573)	(\$580)	(\$108,153)	\$2,722
Total	\$533,976		\$7,033	\$541,009	(\$522,085)	(\$580)	(\$522,665)	\$18,345

**Town of Needham
General Fund
Statement of Budget Appropriations and Expenditures**

Year Ended June 30, 2009

Description	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Finance Committee and Town Manager Approved Transfers	Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
Memorial Park								
35A Salary & Wages	\$750			\$750	(\$250)		(\$250)	\$500
35B Expenses	\$750			\$750	(\$250)		(\$250)	\$500
Total								
Community Services	\$2,757,387		\$45,201	\$2,802,588	(\$2,740,131)	(\$1,855)	(\$2,741,987)	\$60,601
Department Budgets	\$72,792,451		\$1,354,235	\$74,146,686	(\$71,031,755)	(\$1,617,117)	(\$72,648,872)	\$1,497,814
Total Operating Budget	\$100,994,012	(\$55,000)		\$100,939,012	(\$97,083,794)	(\$1,722,956)	(\$98,806,750)	\$2,132,262

**Town of Needham
RTS Enterprise Fund
Statement of Budget Appropriations and Expenditures
Year Ended June 30, 2009**

Description	Finance					Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Committee and Town Manager Approved	Transfers						
101A Salaries	\$622,755				\$622,755	(\$501,670)			(\$501,670)	\$121,085
101B Expenses	\$1,107,045				\$1,107,045	(\$886,926)	(\$122,108)		(\$1,009,034)	\$98,011
101C Capital Outlay	\$58,000				\$58,000	(\$50,614)			(\$50,614)	\$7,386
101D Debt Service	\$150,000				\$150,000	(\$149,929)			(\$149,929)	\$71
102 Reserve Fund*	\$45,000				\$45,000					\$45,000
Total	\$1,982,800				\$1,982,800	(\$1,589,139)	(\$122,108)		(\$1,711,247)	\$271,553

* Direct expenditure is not allowed, only transfers to other budget lines.

**Town of Needham
Sewer Enterprise Fund
Statement of Budget Appropriations and Expenditures
Year Ended June 30, 2009**

Description	Finance					Total Available for Expenditure	Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Committee and Town Manager Approved	Transfers						
201A Salaries	\$591,719				\$591,719	(\$556,541)			(\$556,541)	\$35,178
201B Expenses	\$261,234				\$261,234	(\$187,718)	(\$29,248)		(\$216,966)	\$44,268
201C Capital Outlay	\$25,000				\$25,000	(\$24,433)			(\$24,433)	\$567
201D MWRA Assessment	\$4,969,440				\$4,969,440	(\$4,893,374)			(\$4,893,374)	\$76,066
201E Debt Service	\$1,175,000				\$1,175,000	(\$1,110,101)			(\$1,110,101)	\$64,899
202 Reserve Fund*	\$35,000				\$35,000					\$35,000
Total	\$7,057,393				\$7,057,393	(\$6,772,167)	(\$29,248)		(\$6,801,415)	\$255,978

* Direct expenditure is not allowed, only transfers to other budget lines.

**Town of Needham
Water Enterprise Fund
Statement of Budget Appropriations and Expenditures
Year Ended June 30, 2009**

Description	Annual Town Meeting Appropriations	Special Town Meeting Appropriations	Finance		Disbursements	Encumbrances	Total Expenditures	Unexpended Balance
			Committee and Town Manager Approved	Total Available for Expenditure				
			Transfers					
301A Salaries	\$934,578			\$934,578	(\$883,030)		(\$883,030)	\$51,548
301B Expenses	\$970,767			\$970,767	(\$875,530)	(\$46,193)	(\$921,723)	\$49,044
301C Capital Outlay	\$20,000			\$20,000	(\$19,850)	(\$150)	(\$20,000)	
301D MWRA Assessment	\$1,075,204			\$1,075,204	(\$1,061,719)		(\$1,061,719)	\$13,485
301E Debt Service	\$1,350,000			\$1,350,000	(\$1,330,121)		(\$1,330,121)	\$19,879
302 Reserve Fund*	\$75,000			\$75,000				\$75,000
Total	\$4,425,549			\$4,425,549	(\$4,170,250)	(\$46,343)	(\$4,216,593)	\$208,956

* Direct expenditure is not allowed, only transfers to other budget lines.

Town of Needham
Trust Funds
Year Ended June 30, 2009

Fund	July 1, 2008	Receipts	Disbursements & Adjustments	June 30, 2009
Anita M. Reinke Memorial Scholarship	11,803.02	(1,697.28)	200.00	9,905.74
Catherine M. Wharton Memorial Scholarship	1,310.20	1,965.43	1,200.00	2,075.63
Centennial Football Scholarship	2,551.68	(307.31)	500.00	1,744.37
Charles and Bernice Siegel Memorial Fund	242,739.55	(24,359.44)		218,380.11
C. J. Cullen III Memorial Scholarship	46,528.09	(6,536.99)	1,200.00	38,791.10
Dana F. Burke Scholarship	7,164.60	(913.48)	250.00	6,001.12
De Fazio Family Memorial Scholarship	21,429.41	(2,998.37)	1,000.00	17,431.04
Derwood Newman Memorial	48,476.22	(7,078.18)		41,398.04
Dr. Lee Allan Memorial	2,917.13	(425.94)	50.00	2,441.19
Dwight School (Pollard School)	35,755.36	(5,220.77)		30,534.59
Edward J. Stewart 13 Club Scholarship	14,514.77	(2,054.04)	500.00	11,960.73
Edward Kasip Scholarship	5,721.62	(770.13)	500.00	4,451.49
Edward Keady Memorial Scholarship	5,969.66	3,169.23	1,500.00	7,638.89
Elizabeth Handley		42,699.32		42,699.32
Frederick Barstow Scholarship	371,125.51	(53,013.80)	9,000.00	309,111.71
Frederick Harris Scholarship	46,133.99	(6,474.96)	2,000.00	37,659.03
George Morse Memorial Scholarship	235,964.23	(33,103.89)	3,000.00	199,860.34
High School Sports Endowment	32,308.61	(4,717.49)		27,591.12
Igor Guralnik & Keith Flueckiger	24,187.17	(2,747.96)	6,000.00	15,439.21
Joan W. Swartz Memorial Scholarship	2,725.42	(267.33)	1,000.00	1,458.09
John Akers	172,670.53	2,705.19	4,000.00	171,375.72
John C. Wood (High School Library)	15,370.59	(2,244.31)	500.00	12,626.28
Joseph Paulini Scholarship	794.26	927.39	500.00	1,221.65
Karen Decembre Scholarship	(0.06)			(0.06)
Kyle Shapiro Scholarship	1,548.08	(226.04)		1,322.04
Leo F. Richards Jr. Scholarship	6,997.06	(989.01)	250.00	5,758.05
Mark R., Beane Memorial Scholarship	34,157.33	(4,613.43)	1,500.00	28,043.90
Martin Luther King Scholarship	3,317.06	1,469.68	1,200.00	3,586.74
Mary Ann Dolan Scholarship	135.71	(19.82)		115.89
Minot Mac Donald (Carter School Library)	8,993.00	(1,314.75)	300.00	7,378.25
Miriam Kronish Scholarship	1,669.48	(145.80)	750.00	773.68
Nate Tavalone Scholarship	7,550.27	(750.20)	400.00	6,400.07
New Century Club Scholarship	21,983.75	(2,948.69)	2,000.00	17,035.06
Nina Pansuk Scholarship	155,267.74	(22,279.34)	3,000.00	129,988.40
Peter Eloranta Chemistry Award Scholarship	11,976.01	(1,748.66)	100.00	10,127.35
Peter Eloranta Scholarship	116,162.75	(16,961.33)	2,995.00	96,206.42
Rebecca H. Perry Memorial Scholarship	297,638.64	(40,136.22)	5,400.00	252,102.42
Richard Jensen, Sr. Memorial Scholarship	2,430.88	(159.02)		2,271.86
Ruth Ann B. Simmons MD Memorial Scholarship	27,768.90	(4,054.63)	1,500.00	22,214.27
School Permanent Donation	(424.24)			(424.24)
Stacy Neilson Memorial Fund (Soccer Team)	1,559.38			1,559.38
Stanley Willox Memorial Scholarship	1,529.88	(158.08)	500.00	871.80
Steven Wernick Memorial Scholarship	76.83	(11.22)		65.61
Students Need Arts Trust Fund	6,619.59	(966.55)		5,653.04
Timothy P. Flanagan Memorial Scholarship	23,929.08	(3,363.35)	1,000.00	19,565.73
Tot Greenleaf	11,928.00	(1,571.37)	1,000.00	9,356.63

Town of Needham
Trust Funds
Year Ended June 30, 2009

Fund	July 1, 2008	Receipts	Disbursements & Adjustments	June 30, 2009
walter burke	8.58			8.58
William G. Moseley Scholarship	24,063.31	(3,480.92)	250.00	20,332.39
William T. Burke Memorial Scholarship	4,676.73	(617.56)	500.00	3,559.17
School Trust Allocation	2,550.47		95.06	2,455.41
Subtotal School	2,122,275.83	(208,511.42)	55,640.06	1,858,124.35
Arthur W. & Barbara S. Hatch Fund	290,959.82	(42,484.07)	4,275.00	244,200.75
Bosworth Library Trust Fund	7,302.29	(1,066.23)		6,236.06
Charles Fredic Clifford Henderson Library 10% Trust	114,416.76	(16,706.39)		97,710.37
Cora Proctor Thurston Fund	16,351.41	(2,243.57)	1,907.53	12,200.31
Helen DE M. Dunn Library Trust Fund	1,817.39	(257.70)	898.82	660.87
Karl L. Nutter Library Trust Fund	2,280.69	(333.01)	153.45	1,794.23
Laura G. Willgoose Library Trust Fund	167,086.98	(23,728.72)	11,854.74	131,503.52
Library Permanent Donation Fund	67,535.67	44,192.42	48,367.90	63,360.19
Lois Carley Children's Library Trust	14,098.91	(1,954.10)	1,946.05	10,198.76
Martha Barr Library Trust Fund	2,917.11	(425.94)		2,491.17
Myra S. Greenwood Library Trust Fund	67,734.59	(9,888.85)	154.20	57,691.54
Roger S. Corliss Fund	8,552.83	(1,245.50)	389.70	6,917.63
William Carter Fund	42,946.65	(5,912.77)	4,211.35	32,822.53
William H. Wye Library Fund	1,800.79	(251.46)	236.90	1,312.43
Library trust allocation	1,509.88			1,509.88
Subtotal Library	807,311.77	(62,305.89)	74,395.64	670,610.24
Board of Health	175.88	(25.68)		150.20
Community Revitalization Maintenance 10% Trust	9,493.48	556.26	7,979.85	2,069.89
Community Revitalization Trust	8,325.35	689.76		9,015.11
Council on Aging Permanent Donation	160,698.14	(23,464.10)		137,234.04
Domestic Violence Trust	259,244.60	(37,745.27)	5,500.00	215,999.33
Esther Lyford Trust	9,542.98	(1,393.41)		8,149.57
General Trust Allocation	2,257.28		1,194.30	1,062.98
Green Field Improvement Association Fund	5,242.81	(765.43)		4,477.38
John B. Tolman Trust (Library/Temperance Organization)	173,926.43	(25,279.75)	11,259.64	137,387.04
Mary Virginia E. Hill (Animal Welfare) Fund	12,566.41	(1,834.92)		10,731.49
Needham Cemetery Grand Army Lot Perpetual Care Fund	11,769.89	(1,718.57)		10,051.32
Needham Military Band Inc. 2011 Fund	26,209.50	(3,827.02)		22,382.48
Park & Recreation (Park Beautification) Fund	14,279.72	(1,622.37)		12,657.35
Rebecca Perry Park Trust Fund	27,952.49	(4,081.33)		23,871.16
Robert & Marcia Carleton Memorial Trust Fund	89,537.84	(13,073.73)		76,464.11
Robert & Marcia Carleton Pavilion Fund	27,529.11	(4,019.62)		23,509.49
Skate Park Trust Fund	2,240.03	(1,159.04)		1,080.99
Subtotal Other Funds	840,991.94	(118,764.22)	25,933.79	696,293.93
TOTAL	3,770,579.54	(389,581.53)	155,969.49	3,225,028.52

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF REVENUE
TAX RATE RECAPITULATION
OF
NEEDHAM**

FISCAL 2010

City / Town / District

TAX RATE SUMMARY

Total amount to be raised (from IIe)	\$	<u>134,191,732.63</u>
Total estimated receipts and other revenue sources (from IIIe)		<u>46,359,606.00</u>
Tax levy (Ia minus Ib)	\$	<u>87,832,126.63</u>

Distribution of Tax Rates and levies

CLASS	(b) Levy percentage (from LA - 5)	(c) IC above times each percent in col (b)	(d) Valuation by class (from LA - 5)	(e) Tax Rates (c) / (d) x 1000	(f) Levy by class (d) x (e) / 1000
Residential	77.7848%	68,320,044.03	6,488,349,842	10.53	68,322,323.84
Net of Exempt					0.00
Open Space	0.0000%	0.00	0		0.00
Commercial	15.6264%	13,724,999.44	663,613,511	20.68	13,723,527.41
Net of Exempt					0.00
Industrial	3.0683%	2,694,953.14	130,298,600	20.68	2,694,575.05
SUBTOTAL	96.4795%		7,282,261,953		84,740,426.30
Personal	3.5205%	3,092,130.02	149,501,950	20.68	3,091,700.33
TOTAL	100.0000%		7,431,763,903		87,832,126.63

Board of Assessors of

NEEDHAM

City / Town / District

MUST EQUAL 1C

NOTE: The information was Approved on 12/11/2009.

Davis, Director, Needham, 781-455-7507

12/10/2009 10:27 AM

I am signing on behalf of the Needham Board o...

Date

(Comments)

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed By

Andrew Nelson

Date :

11-DEC-09

Approved :

Dennis Mountain

Director of Accounts



(Gerard D. Perry)

NEEDHAM

City / Town / District

II. Amounts to be raised

Ila. Appropriations (col.(b) through col.(e) from page 4)	\$	132,000,100.00
Ilb. Other amounts to be raised		
1. Amounts certified for tax title purposes		12,500.00
2. Debt and interest charges not included on page 4		0.00
3. Final court judgements		0.00
4. Total overlay deficits of prior years		0.00
5. Total cherry sheet offsets (see cherry sheet 1-ER)		56,736.00
6. Revenue deficits		0.00
7. Offset receipts deficits Ch. 44, Sec. 53E		0.00
8. Authorized Deferral of Teachers' Pay		0.00
9. Snow and ice deficit Ch. 44, Sec. 31D		11,366.00
10. Other (specify on separate letter)		82,000.00
TOTAL Ilb (Total lines 1 through 10)		162,602.00
Ilc. State and county cherry sheet charges (C.S. 1-EC)		1,068,405.00
Ild. Allowance for abatements and exemptions (overlay)		960,625.63
Ile. Total amount to be raised (Total Ila through Ild)	\$	134,191,732.63

III. Estimated receipts and other revenue sources

IIIa. Estimated receipts - State		
1. Cherry sheet estimated receipts (C.S. 1-ER Total)	\$	7,710,750.00
2. Massachusetts school building authority payments		745,381.00
TOTAL IIIa		8,456,131.00
IIIb. Estimated receipts - Local		
1. Local receipts not allocated (page 3, col(b), Line 23)		8,085,545.00
2. Offset Receipts (Schedule A-1)		0.00
3. Enterprise Funds (Schedule A-2)		16,232,419.00
4. Community Preservation Funds (See Schedule A-4)		9,063,224.00
TOTAL IIIb		33,381,188.00
IIIc. Revenue sources appropriated for particular purposes		
1. Free cash (page 4, col.(c))		0.00
2. Other available funds (page 4, col.(d))		1,376,871.00
TOTAL IIIc		1,376,871.00
IIId. Other revenue sources appropriated specifically to reduce the tax rate		
1a. Free cash..appropriated on or before June 30, 2009		3,145,416.00
b. Free cash..appropriated on or after July 1, 2009		0.00
2. Municipal light source		0.00
3. Teachers' pay deferral		0.00
4. Other source :		0.00
TOTAL IIId		3,145,416.00
IIIe. Total estimated receipts and other revenue sources (Total IIIa through IIId)	\$	46,359,606.00

IV. Summary of total amount to be raised and total receipts from all sources

a. Total amount to be raised (from Ile)	\$	134,191,732.63
b. Total estimated receipts and other revenue sources (from IIIe)	\$	46,359,606.00
c. Total real and personal property tax levy (from Ic)	\$	87,832,126.63
d. Total receipts from all sources (total IVb plus IVc)	\$	134,191,732.63

LOCAL RECEIPTS NOT ALLOCATED *

TAX RATE RECAPITULATION

NEEDHAM

City/Town/District

	(a) Actual Receipts Fiscal 2009	(b) Estimated Receipts Fiscal 2010
=> 1 MOTOR VEHICLE EXCISE	4,129,366.54	3,800,000.00
=> 2 OTHER EXCISE	284,274.00	270,000.00
=> 3 PENALTIES AND INTEREST ON TAXES AND EXCISES	270,990.82	250,000.00
=> 4 PAYMENTS IN LIEU OF TAXES	120,809.27	70,000.00
5 CHARGES FOR SERVICES - WATER	0.00	0.00
6 CHARGES FOR SERVICES - SEWER	0.00	0.00
7 CHARGES FOR SERVICES - HOSPITAL	0.00	0.00
8 CHARGES FOR SERVICES - TRASH DISPOSAL	0.00	0.00
9 OTHER CHARGES FOR SERVICES	1,016,682.82	905,000.00
10 FEES	130,514.74	130,000.00
11 RENTALS	151,887.36	140,000.00
12 DEPARTMENTAL REVENUE - SCHOOLS	0.00	0.00
13 DEPARTMENTAL REVENUE - LIBRARIES	57,613.59	55,000.00
14 DEPARTMENTAL REVENUE - CEMETERIES	0.00	0.00
15 DEPARTMENTAL REVENUE - RECREATION	264,861.50	260,000.00
16 OTHER DEPARTMENTAL REVENUE	338,804.04	330,000.00
17 LICENSES AND PERMITS	1,192,087.83	900,000.00
18 SPECIAL ASSESSMENTS	4,738.77	4,700.00
=> 19 FINES AND FORFEITS	206,953.02	185,000.00
=> 20 INVESTMENT INCOME	714,065.86	545,000.00
=> 21 MISCELLANEOUS RECURRING (PLEASE SPECIFY)	185,544.48	185,683.00
22 MISCELLANEOUS NON-RECURRING (PLEASE SPECIFY)	256,453.65	55,162.00
23 TOTALS	\$ 9,325,648.29	\$ 8,085,545.00

I hereby certify that the actual receipts as shown in column (a) are, to the best of my knowledge correct and complete, and I further certify that I have examined the entries made on page 4 of the Fiscal 2010 tax rate recapitulation form by the City, Town or District Clerk and hereby acknowledge that such entries correctly reflect the appropriations made and the sources from which such appropriations are to be met.

 Julie T. Vaillancourt, Town Accountant, Needham, 781-455-7500

 12/10/2009 10:07 AM

Accounting Officer

Date

Do not include receipts in columns (a) or (b) that were voted by the City / Town / District Council or Town Meeting as offset receipts on Schedule A-1, enterprise funds on Schedule A-2, or revolving funds on Schedule A-3. Written documentation should be submitted to support increases / decreases of estimated receipts to actual receipts.

Written documentation should be submitted to support increases/ decreases of FY 2009 estimated receipts to FY2010 estimated

CERTIFICATION OF APPROPRIATIONS AND SOURCES OF FUNDING

TAX RATE RECAPITULATION

FISCAL 2010

NEEDHAM

City / Town / District

APPROPRIATIONS							AUTHORIZATIONS	
							MEMO ONLY	
City / Town Council or Town Meeting Dates	FY*	(a) Total Appropriations of Each Meeting	(b) ** From Raise and Appropriate	(c) From Free Cash See B-1	(d) From Other Available Funds See B-2	(e) From Offset Receipts (See A-1), Enterprise Funds (See A-2), or Community Preservation Fund (See A-4)	(f) *** Revolving Funds (See A-3)	(g) Borrowing Authorization
05/04/2009	2010	830,682.00	25,000.00	0.00	0.00	805,682.00	895,100.00	777,500.00
05/06/2009	2010	1,000.00	1,000.00	0.00	0.00	0.00	0.00	0.00
05/11/2009	2009	55,000.00	0.00	0.00	55,000.00	0.00	0.00	450,000.00
05/13/2009	2010	115,628,567.00	105,463,084.00	0.00	915,110.00	9,250,373.00	0.00	0.00
05/20/2009	2010	14,126,692.00	1,145,416.00	0.00	175,713.00	12,805,563.00	0.00	13,430,000.00
11/09/2009	2010	1,358,159.00	0.00	0.00	231,048.00	1,127,111.00	0.00	26,962,128.00
Totals		132,000,100.00	106,634,500.00	0.00	1,376,871.00	23,988,729.00		
		Must Equal Cols. (b) thru (e)						

I hereby certify that the appropriations correctly reflect the votes taken by City / Town / District Council.

NEEDHAM	Theodora K. Eaton, Town Clerk, Needham, 781-455-7510	12/10/2009 10:52 AM
City/Town/District	Clerk	Date

**WARRANT FOR THE
STATE PRIMARY
The Commonwealth of Massachusetts
TUESDAY, SEPTEMBER 16, 2008**

Norfolk, ss.

To either of the Constables of the Town of Needham

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at their respective voting places in said Town, namely:

PRECINCT A – Hillside School - Gymnasium
PRECINCT B – Hillside School - Gymnasium
PRECINCT C – Newman School – Gymnasium
PRECINCT D – Newman School - Gymnasium
PRECINCT E – Pollard Middle School – Room 226

PRECINCT F – Stephen Palmer Community Room
PRECINCT G – Broadmeadow School - Performance Ctr.
PRECINCT H – Broadmeadow School - Performance Ctr.
PRECINCT I – Wm. Mitchell School – Gymnasium
PRECINCT J – Wm. Mitchell School - Gymnasium

**ON TUESDAY, THE SIXTEENTH DAY
OF SEPTEMBER, 2008**

From 7:00 A.M. to 8:00 P.M. for the following purposes:

To cast their votes in the State Primary for the candidates of Political Parties for the following offices:

SENATOR IN CONGRESS	For the Commonwealth
REPRESENTATIVE IN CONGRESS	For Ninth (9th) Congressional District
COUNCILLOR	For Second (2nd) Councillor District
SENATOR IN GENERAL COURT	For Norfolk, Bristol, and Middlesex Senatorial District
REPRESENTATIVE IN GENERAL COURT	For Thirteenth (13th) Norfolk Representative District
REGISTER OF PROBATE	For Norfolk County
COUNTY COMMISSIONERS	For Norfolk County
COUNTY TREASURER	For Norfolk County

**The Polls Will Be Open From
7:00 A.M. to 8:00 P.M.**

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.
Given under our hands this 12th day of August, A.D. 2008.

**JAMES G. HEALY, *Chairman*
DANIEL P. MATTHEWS
JOHN A. BULIAN
GERALD A. WASSERMAN
DENISE C. GARLICK
*Selectmen of Needham***

A true copy,
ATTEST _____ 2008

Constable (month) (day)

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, OCTOBER 27, 2008

7:30 P. M.

NEWMAN ELEMENTARY SCHOOL

CENTRAL AVENUE

NEEDHAM

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Newman Elementary School:

MONDAY, THE TWENTY SEVENTH OF OCTOBER, 2008

at seven-thirty in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: AMEND ZONING BY-LAW – MAP CHANGE TO CENTER BUSINESS DISTRICT

To see if the Town will vote to revise the Zoning Map as follows:

Place in the Center Business District all that land now zoned Single Residence B lying northerly of Great Plain Avenue, easterly of Chapel Street, and westerly of Highland Avenue. Said land comprising Parcels 1 and 81 on Town of Needham Assessor's Map No. 51, and being bounded and described as follows:

Beginning at the point of intersection of the centerlines of Great Plain Avenue and Chapel Street; thence running northerly by the centerline of Chapel Street a distance of approximately 406 feet to the end of the 1884 Town Layout of Chapel Street; thence turning and running easterly approximately 190 feet from the centerline of Chapel Street along a line coinciding with the northerly property line of land owned by the Town of Needham to a point at the intersection of said property line and the centerline of Highland Avenue; thence turning and running southerly along the centerline of Highland Avenue to the point of intersection of the centerline of Highland Avenue and the centerline of Great Plain Avenue; thence turning and running westerly along the centerline of Great Plain Avenue to the point of beginning.

Be any of said measurements, more or less.

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to facilitate the renovation of the Town Hall. The geographical area between Great Plain Avenue, Chapel Street and Highland Avenue is proposed to be changed from a Single Residence B District to a Center Business District. The Town Hall and Common property are affected by this rezoning. Current setback and dimensional requirements in the Single Residence B district require a minimum front yard setback of 25 feet by right with a waiver by special permit to 20 feet for an institutional use in this district. As the Town hall fronts three separate streets, it effectively has three front yards. Rezoning of the Town Hall and Common Property to the Center Business District will permit a front yard setback of 3 feet or the average of the abutting properties (whichever is smaller) at this locale consist with its abutting Center Business District neighbors.

**ARTICLE 2: AMEND ZONING BY-LAW – STORY, HEIGHT AND OCCUPANCY
LIMITATIONS EXCEPTION FOR MUNICIPAL BUILDING IN CENTER
BUSINESS DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.4, Dimensional Requirements for Commercial Districts, Subsection 4.4.3 Height Limitation, by adding the following new language at the end of the first paragraph so that it shall read as follows (new language underlined):

“4.4.3 Height Limitation

In a Business District, the limit of height of a building or structure shall be three (3) stories not to exceed forty (40) feet, provided that in no event shall any building contain more than three floors used for occupancy; in the Center Business District, the limit of height of a building or structure shall be two and one-half (2 ½) stories not to exceed thirty-five (35) feet, provided that in no event shall any building contain more than two floors used for non-residential occupancy other than storage, residential occupancy being permitted on the second floor and in the half-story directly above the second floor consistent with the use and density requirements of Section 3.2.2. Notwithstanding the foregoing story, height and occupancy limitations, and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit in the Center Business District to permit a municipal building of 3 stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy. Such a special permit may be granted only after it is demonstrated by the applicant that: (i) the proposed increased building height and number of stories will not create a significant detrimental impact on existing buildings and uses in the vicinity; and (ii) the proposed building and its occupancy contributes to, and does not detract from, a pedestrian-friendly streetscape.

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: *This article proposes to amend the section of the Zoning By-Law that limits the story, height and non-residential occupancy limitations of a municipal building in the Center Business District. The amendment is offered by the Board of Selectmen in an effort to guide the planned renovation and expansion of the Needham Town Hall. The amendment would allow the Planning Board, acting as a special permit granting authority, to issue a special permit in the Center Business District to permit a municipal building of three (3) stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet, and to permit four (4) floors of a municipal building to be used for non-residential occupancy. Such a special permit could only be granted after it was demonstrated by the applicant that: (i) the proposed increased building height and number of stories would not create a significant detrimental impact on existing buildings and uses in the vicinity; and (ii) the proposed building and its occupancy contribute to, and do not detract from, a pedestrian-friendly streetscape. Currently in the Center Business District, the height limit of a municipal building is two and one-half (2 ½) stories not to exceed thirty-five (35) feet with a non-residential occupancy limitation of no more than two (2) floors.*

**ARTICLE 3: FUND COLLECTIVE BARGAINING AGREEMENT –
AFSCME/CUSTODIANS AND TRADES**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and AFSCME Council 93, Local 335 (Public Facilities employees), and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2009; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article Explanation: At the time of the printing of the Warrant, the parties had not reached agreement on this contract.

ARTICLE 4: AMEND THE FY2009 OPERATING BUDGET

To see if the Town will vote to Amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted under Article 17 of the 2008 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
10	Reserve Fund	\$ 1,199,851	No Change
20A	Police Department – Salaries	\$ 4,502,553	\$4,518,785
24	Needham Public Schools	\$42,651,716	\$42,635,484
28B	Department of Public Facilities		
	Purchase of Services & Expenses	\$ 4,307,460	No Change

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article transfers \$16,232 from the Needham Public Schools budget to the Police Department to fund three additional traffic supervisors (crossing guards) that the Public Schools agreed to fund when they eliminated certain bus routes in the FY09 budget. The "No change" lines were originally inserted to fund the ongoing extraordinary maintenance efforts at the Newman School, but these transfers are being deferred until a subsequent Town Meeting when all Newman remediation costs have been tallied.

ARTICLE 5: APPROPRIATE FOR PUBLIC SERVICES ADMINISTRATION BUILDING

To see if the Town will vote to raise and/or transfer and appropriate a sum for the architectural design, engineering, construction and equipping of an administration building at the Department of Public Works

complex on Dedham Avenue, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44 Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article Information: The 2008 Annual Town Meeting appropriated \$500,000 for the design of a Public Services Administration building at the DPW complex on Dedham Avenue. The building will house administrative offices for current DPW administrative functions, the Building Department, Planning, Zoning and Conservation, Public Facilities, and Park and Recreation. Under the direction of the PPBC, the Town engaged the services of Winter Street Architects for the design process. Winter Street is completing the schematic designs, and in this article the Selectmen request approval of construction funding.

Construction is planned to begin early this winter, and the building is intended to be completed in time for it to be used as temporary relocation space during the renovation of Town Hall, for a projected savings of approximately \$1 million. Final occupancy for Public Services use is expected in 2011. Additional information is posted on the Town's website at www.needhamm.gov under "Publications" and final cost estimates are to be forwarded to Town Meeting Members prior to October 27th.

ARTICLE 6: TOWN HALL HISTORIC PRESERVATION

To see if the Town will vote to approve the concept of renovating and expanding the Town Hall including the construction of an addition along the full length of the rear exterior wall and the restoration of the second floor hall.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article Information: The 2008 Annual Town Meeting appropriated \$1,000,000 in CPA funds for the architectural design of the historic preservation and renovation of Town Hall. At Town Meeting, the Board of Selectmen committed to an additional review of the proposed renovation options, and to report back to Town Meeting after also consulting with the Community Preservation Committee and the Finance Committee. The Board sponsored a "Town Hall Summit" in June, 2008 which was well attended and included representatives of a wide variety of boards, committees, civic groups, and the general public. Over the summer, the Board continued to evaluate options, and participated in the Town Hall Study Committee process.

Working with the Permanent Public Building Committee and architects McGinley, Kalsow and Associates (MKA), the staff developed and recommended a proposal referred to as "Alternative 4." This option provides for renovation of Town Hall and includes construction of an addition along the length of the rear wall of the current building. The design is intended to be consistent with the historic nature of the property, allow for a more efficient operation and greater public convenience, provide multiple small and medium-sized meeting spaces for public meetings, preserve historic features, restore the second floor meeting hall, provide flexibility for future growth, and fit within the Town's long-term financial plan.

The total projected cost of the project is estimated at \$18.5 million (including the previously appropriated \$1,000,000 for design), of which approximately 80% may be eligible for Community Preservation funding. The Board of Selectmen voted unanimously to endorse Alternative 4, and have consulted with the CPC and

Finance Committee about that endorsement. The Selectmen expect to request CPC and Town Meeting approval of the funding of the construction portion of the project at the 2009 Annual Town Meeting.

MKA has been engaged in design development of portions of the project that are unaffected by the selection of a specific option. Under the present plan, MKA is to proceed from here to full design. Through this warrant article, the Board is seeking an approval in principle by Town Meeting of the Alternative 4 concept. Further information about Alternative 4 is to be provided to Town Meeting Members prior to October 27th and materials are currently available on the Town Website at www.needhamma.gov under "Publications."

ARTICLE 7: APPROPRIATE FOR FACILITY REPAIRS/NEWMAN SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate a sum for architectural design and engineering for the renovation of the Newman School, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44 Section 7; MGL Section 70B or any other enabling authority; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article Information: At the May, 2008 Special Town Meeting, \$350,000 was appropriated for a feasibility study relating to the heating and ventilation system at the Newman School. During the past summer, extensive HVAC and related remediation work was completed at the school. The study funded by Town Meeting is on-going, as is planning and review for long-term options for the building. This article has been included in the warrant as a "place holder" in the event that there is a need for further requested action by Town Meeting this fall. Additional information is posted at the Needham Public Schools website. Updated information about the work performed at the Newman School since May, 2008 will be provided to Town Meeting Members at the Special Town Meeting.

ARTICLE 8: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate \$46,273 to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The balance in the fund is as of September 30, 2008 was \$423,889.

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 23rd day of September 2008.

James G. Healy, Chairman
Daniel P. Matthews, Vice Chairman
John A. Bulian, Clerk
Denise Garlick
Gerald A. Wasserman

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

**Town Clerk's Office
Needham, MA 02492**

**First Class Mail
U.S. Postage Paid
Needham, MA
Permit No. 58224**

ATTN: SPECIAL TOWN MEETING WARRANT

**WARRANT FOR THE
STATE ELECTION
The Commonwealth of Massachusetts
TUESDAY, NOVEMBER 4, 2008**

Norfolk, ss.

To either of the Constables of the Town of Needham

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Election to vote at their respective voting places in said Town, namely:

PRECINCT A – Hillside School - Gymnasium
PRECINCT B – Hillside School - Gymnasium
PRECINCT C – Newman School – Gymnasium
PRECINCT D – Newman School - Gymnasium
PRECINCT E – Pollard Middle School – Room 226

PRECINCT F – Stephen Palmer Community Room
PRECINCT G – Broadmeadow School - Performance Ctr.
PRECINCT H – Broadmeadow School - Performance Ctr.
PRECINCT I – Wm. Mitchell School – Gymnasium
PRECINCT J – Wm. Mitchell School - Gymnasium

**ON TUESDAY, THE FOURTH DAY
OF NOVEMBER, 2008**

From 7:00 A.M. to 8:00 P.M. for the following purposes:

To cast their votes in the State Election for the candidates for the following offices:

ELECTORS OF PRESIDENT AND VICE PRESIDENT	STATEWIDE
SENATOR IN CONGRESS	For the Commonwealth
REPRESENTATIVE IN CONGRESS	For Ninth (9th) Congressional District
COUNCILLOR	For Second (2nd) Councillor District
SENATOR IN GENERAL COURT	For Norfolk, Bristol, and Middlesex Senatorial District
REPRESENTATIVE IN GENERAL COURT	For Thirteenth (13th) Norfolk Representative District
REGISTER OF PROBATE	For Norfolk County
COUNTY COMMISSIONERS	For Norfolk County
COUNTY TREASURER	For Norfolk County

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION
Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would reduce the state personal income tax rate to 2.65% for all categories of taxable income for the tax year beginning on or after January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

The personal income tax applies to income received or gain realized by individuals and married couples, by estates of deceased persons, by certain trustees and other fiduciaries, by persons who are partners in and receive income from partnerships, by corporate trusts, and by persons who receive income as shareholders of "S corporations" as defined under federal tax law. The proposed law would not affect the tax

due on income or gain realized in a tax year beginning before January 1, 2009.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state personal income tax rate to 2.65% for the tax year beginning on January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

A NO VOTE would make no change in state income tax laws.

YES: _____
NO: _____

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION
Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties, to be enforced by issuing citations, and would exclude information regarding this civil offense from the state's criminal record information system. Offenders age 18 or older would be subject to forfeiture of the marijuana plus a civil penalty of \$100.

~ OVER ~

Offenders under the age of 18 would be subject to the same forfeiture and, if they complete a drug awareness program within one year of the offense, the same \$100 penalty.

Offenders under 18 and their parents or legal guardian would be notified of the offense and the option for the offender to complete a drug awareness program developed by the state Department of Youth Services. Such programs would include ten hours of community service and at least four hours of instruction or group discussion concerning the use and abuse of marijuana and other drugs and emphasizing early detection and prevention of substance abuse.

The penalty for offenders under 18 who fail to complete such a program within one year could be increased to as much as \$1,000, unless the offender showed an inability to pay, an inability to participate in such a program, or the unavailability of such a program. Such an offender's parents could also be held liable for the increased penalty. Failure by an offender under 17 to complete such a program could also be a basis for a delinquency proceeding.

The proposed law would define possession of one ounce or less of marijuana as including possession of one ounce or less of tetrahydrocannabinol ("THC"), or having metabolized products of marijuana or THC in one's body.

Under the proposed law, possessing an ounce or less of marijuana could not be grounds for state or local government entities imposing any other penalty, sanction, or disqualification, such as denying student financial aid, public housing, public financial assistance including unemployment benefits, the right to operate a motor vehicle, or the opportunity to serve as a foster or adoptive parent. The proposed law would allow local ordinances or bylaws that prohibit the public use of marijuana, and would not affect existing laws, practices, or policies concerning operating a motor vehicle or taking other actions while under the influence of marijuana, unlawful possession of prescription forms of marijuana, or selling, manufacturing, or trafficking in marijuana.

The money received from the new civil penalties would go to the city or town where the offense occurred.

A YES VOTE would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties. A NO VOTE would make no change in state criminal laws concerning possession of marijuana.

YES: _____
NO: _____

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION
Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would prohibit any dog racing or racing meeting in Massachusetts where any form of betting or wagering on the speed or ability of dogs occurs.

The State Racing Commission would be prohibited from accepting or approving any application or request for racing dates for dog racing.

Any person violating the proposed law could be required to pay a civil penalty of not less than \$20,000 to the Commission. The penalty would be used for the Commission's administrative purposes, subject to appropriation by the state Legislature. All existing parts of the chapter of the state's General Laws concerning dog and horse racing meetings would be interpreted as if they did not refer to dogs.

These changes would take effect January 1, 2010. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would prohibit dog races on which betting or wagering occurs, effective January 1, 2010.

A NO VOTE would make no change in the laws governing dog racing.

YES: _____
NO: _____

QUESTION 4: GENERAL OVERRIDE: OPERATING EXPENSES FOR THE PUBLIC SCHOOLS

"Shall the Town of Needham be allowed to assess an additional \$1,887,929 in real estate and personal property taxes for the purposes of funding operating expenses for the Public Schools for the fiscal year beginning July first two thousand and nine?"

YES: _____
NO: _____

QUESTION 5: THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to vote in favor of legislation that would allow seriously ill patients, with their doctor's written recommendation, to possess and grow small amounts of marijuana for their personal medical use?

YES: _____
NO: _____

**The Polls Will Be Open From
7:00 A.M. to 8:00 P.M.**

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.
Given under our hands this 14th day of October, A.D. 2008.

JAMES G. HEALY, Chairman
DANIEL P. MATTHEWS
JOHN A. BULIAN
GERALD A. WASSERMAN
DENISE C. GARLICK
Selectmen of Needham

A true copy,
ATTEST _____ **2008**

Constable (month) (day)

**WARRANT FOR THE ANNUAL TOWN ELECTION, TUESDAY, APRIL 14, 2009
TOWN OF NEEDHAM, COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss. To either of the constables in the Town of Needham in said County. Greetings:
In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town Affairs to meet in their respective voting places in said Town namely:

Precinct A	-	Hillside School - Gymnasium	Precinct F-	Stephen Palmer Community Room
Precinct B	-	Hillside School - Gymnasium	Precinct G-	Broadmeadow School - Performance Center
Precinct C	-	Newman School - Gymnasium	Precinct H-	Broadmeadow School - Performance Center
Precinct D	-	Newman School - Gymnasium	Precinct I-	William Mitchell School - Gymnasium
Precinct E	-	Pollard Middle School - Room 226	Precinct J-	William Mitchell School - Gymnasium

On TUESDAY, THE FOURTEENTH DAY OF APRIL, 2009 From 6:45 A.M. to 8:00 P.M. to cast their votes in the Annual Town Election (Article) for the candidates for the following Town Offices: **Article 1:** One Moderator for One Year; Two Selectmen for Three Years; One Assessor for Three Years; Two Members of School Committee for Three Years; One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years; One Trustee of Memorial Park (trustee of soldiers' memorials – non-veteran) for Three Years; Two Trustees of Needham Public Library for Three Years; One Member of Board of Health for Three Years; One Member of Board of Health for One Year; One Member of Planning Board for Five Years; One Member of Needham Housing Authority for Five Years; One Member of Needham Housing Authority for One Year; One Commissioner of Trust Funds for Three Years; Two Members of Park & Recreation Commission for Three Years; Eight Town Meeting Members from Precinct A for Three Years; Seven Town Meeting Members from Precinct B for Three Years; One Town Meeting Member from Precinct B for One Year; Eight Town Meeting Members from Precinct C for Three Years; One Town Meeting Member from Precinct C for One Year; Eight Town Meeting Members from Precinct D for Three Years; Eight Town Meeting Members from Precinct E for Three Years; Eight Town Meeting Members from Precinct F for Three Years; Eight Town Meeting Members from Precinct G for Three Years; Eight Town Meeting Members from Precinct H for Three Years; One Town Meeting Member from Precinct H for Two Years; Nine Town Meeting Members from Precinct I for Three Years; Eight Town Meeting Members from Precinct J for Three Years; One Town Meeting Member from Precinct J for One Year

**The Annual Town Meeting for the transaction of business shall commence on
Monday, May 4, 2009 at 7:30 P.M. at the Newman School**

and you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least seven days before the time of said meeting. Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour. Given under our hands at Needham aforesaid this 10th day of March 2009.

THE NEEDHAM BOARD OF SELECTMEN

**TOWN OF NEEDHAM
MASSACHUSETTS 02492**

**BULK RATE
US POSTAL PERMIT NO. 582
BOSTON, MA**

NEEDHAM RESIDENT

**Annual Town Election
Tuesday, April 14, 2009
6:45 A.M. – 8:00 P.M.
Open to all registered Voters**

TOWN OF NEEDHAM

MASSACHUSETTS

2009 Annual Town Meeting Warrant



ELECTION: Tuesday, April 14, 2009

Business Meeting at 7:30 P.M. on Monday, May 4, 2009

at the Newman Elementary School

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**Town of Needham
Finance Committee
98th Annual Report
Fiscal Year 2010 Budget Recommendation
March 15, 2009**

Fellow Citizens:

Economic conditions for us as individuals, for our community, and for our state have been deteriorating over the past year. The International Monetary Fund (IMF) recently characterized these conditions as the “Great Recession,” and notes that, “The IMF expects global growth to slow below zero this year, the worst performance in most of our lifetimes.” The Federal Reserve reports that U.S. households’ net worth declined 18% last year – the worst decline since it began tracking this statistic 60 years ago. Local conditions, while better than depressed areas like Florida and Rhode Island, are worse than the global averages, with 7.4% unemployment in Massachusetts – the worst since 1993 – and multi-billion dollar gaps in the state budget across the current and the next fiscal years.

In the face of these conditions, the Finance Committee is recommending a budget for the Town of Needham for the upcoming fiscal year that does not require any layoffs or pay cuts, and that maintains the current level of services provided by all municipal departments. Our ability to do so is due to a combination of fortunate circumstances and to the prudent fiscal policies that have been propagated by your Town Manager, Selectmen, and Finance Committee for some years now.

Revenue

The estimated total General Fund Revenue for FY 2010 is \$108,178,974, of which \$106,369,194 is available for the operating budget. General Fund Revenue available for appropriation increased by approximately 3.8%, excluding a one-time substantial increase in certified Free Cash in FY 2009 over FY 2008.

The largest sources of revenue for Needham are property tax receipts, local receipts, and state aid. The growth in revenue assumes an increase in property tax receipts of 6.2%. This is a larger than normal increase because of the operating override of \$1,887,929 for the opening of the High Rock School that was passed by the voters in November 2008.

Local receipts in FY 2010 are estimated to increase by 3.2% over the FY 2009 estimate. Local receipts include such items as motor vehicle excise, permits, charges for services, fees, fines, investment income, and income from departmental activities and services. Local receipts collected by Needham have declined slightly in the past few years. Given the uncertain nature of the economy, local receipts for FY 2010 have purposefully been estimated to fall substantially below the amount actually collected in FY 2008.

State aid, or Cherry Sheet aid, is a function of the state budget process, and is projected to decrease next year by \$865,994 from FY 2009, a 10% decrease.

The Free Cash amount incorporated into the FY 2010 budget is \$3,145,416, slightly below the average for the past few years, excluding the extraordinary Free Cash certified in FY 2009.

Given the 10% decrease in state aid, how is it that Needham is not anticipating the budgetary difficulties in FY 2010 that are afflicting many other Massachusetts municipalities? In large part, this is because Needham receives a relatively low percentage of its revenue in state aid; 80% of Needham's revenue is from property tax receipts, and only 8% is from state aid. In various other communities, state aid represents a much higher proportion of the municipal budget. Therefore, the 10% cut in state aid to Needham represents only 0.8% of the Town's budget, whereas a municipality where 30% of the budget is composed of state aid, with the same 10% cut, faces a 3% budget shortfall.

Additionally, as part of the triennial re-assessment, we realized a significant increase in revenue from personal property taxes on business equipment – in fact, this increase alone was almost sufficient to offset the projected drop in state aid.

Finally, the conservative estimation of revenue provides Needham with a fiscal cushion. Town Meeting members will recall that usually at the Special Town Meeting in the Fall, and sometimes even at the Annual Town Meeting in the Spring, there are several articles to re-allocate revenue. In FY 2009, however, these have appeared only at drastically reduced levels, if at all, because most excess revenue in FY 2009 has been applied to offset drops in state aid that have already taken place and to the extraordinary repairs to the Newman School approved at the May 2008 Special Town Meeting.

FY 2010 Operating Budget Recommendation

The total operating budget for FY 2010 is 5.3% higher than the FY 2009 budget. The reason that the proposed operating budget can sustain a 5.3% increase when the revenue available for appropriation increased only 3.8% is that the allocation of the revenue between the operating budget, cash capital, and financial warrant articles shifted in FY 2010 such that more funds are being spent on the operating budget relative to cash capital and financial warrant articles. Excluding the High Rock override, the operating budget increased by 3.4%.

For the purposes of discussion, the Town's operating budget can be thought of as falling into three categories: (1) Education, (2) Municipal Departments, and (3) Town Wide Expenses. The FY 2010 budget recommendation accomplishes the following:

- Fully funds the School Committee's budget request, and the Town's allocation to the Minuteman School,

- Fully funds the budget requests submitted by Municipal Departments, less various technical adjustments, and
- Maintains sufficient funding to the various Town Wide Expense categories such that the Town can meet its obligations.

While we believe this is an excellent achievement given the macroeconomic situation, it is worth noting that municipal departments submitted requests for an additional \$3,451,271 of funding this year to improve services to the citizens of Needham, and the Finance Committee was only able to fund \$76,775 of that amount. The Superintendent had to reject an additional \$2 million of requests for improvements to the Public Schools to arrive at a sustainable budget request for the schools. Put another way, we are only able to fund a small percentage of the requests submitted to improve our Town's services – 2.2% of municipal improvement requests in FY 2010, for example – leaving over \$5 million of such requests unfulfilled this year. If these requests are ever implemented in the future, however, we would need a source of funding, and that source would most likely be additional taxes and fees. As we go forward as a community, we need to ensure that broad discussion takes place regarding the proper balance between providing additional desirable services to the Town and keeping the tax burden on its citizens manageable.

Following are various points of interest within the Finance Committee's FY 2010 budget recommendation.

Education

43% of overall budget, 6.5% increase. The School Department budget, net of High Rock associated costs, shows a 4.0% increase. 88% of the School Department budget is salaries. This year, for the first time in recent memory, the School Department and School Committee developed a five-year forecast of their budget needs. This forecast indicates continuing difficulties ahead in bringing in a School Department budget whose yearly growth rate does not exceed the Town's revenue growth rate. That in turn points to future cuts in the schools or to school operating overrides. The five-year forecast also identifies reducing the size of the annual salary increases for staff as an action that could have great impact in mitigating the need for cuts or overrides.

Municipal departments

29% of overall budget, 4.5% increase.

General Government

The Finance Committee is recommending increasing the Finance Department budget to partially fund a request to replace computer workstations in all municipal departments on a regular five-year cycle. The Town Clerk's budget decreased because a smaller number of elections are anticipated in FY 2010 than took place this year.

Land Use and Development

The Finance Committee is recommending funding for a recording secretary for the Conservation Department – at present, department members must simultaneously take minutes and participate in hearings.

Public Safety

The Finance Committee was able to fund the Fire Department's request to replace ½ of its mattresses and bureaus this year for \$13,389. A Police Department request to accelerate the replacement of an unmarked vehicle with a more fuel-efficient model, however, was not funded.

Public Works

The departments in this area have all had special circumstances that affect their budgets. For the DPW, an additional staff member is budgeted whose salary will be offset by increased permit fees. The position is to inspect street openings and their repair to ensure that roads and sidewalks that are opened are properly re-paved, and to enforce the state's new trench safety law. The Municipal Parking budget is up significantly simply because the MBTA doubled daily parking fees. The Municipal Lighting budget is lower, reflecting energy savings associated with replacing existing streetlight bulbs with high-pressure sodium bulbs.

Public Facilities

While this budget has a 12% increase, 7.6% of the increase is related to increased expenses associated with the operation of the High Rock School which were approved in the November, 2008 override. Less the High Rock costs, this department's budget is up 4.4%.

Like health care, energy continues to be an issue to the Town in terms of increasing costs. In fiscal year 2006, 37% of the Public Facilities budget was expended on energy, whereas in FY 2010, the projection is for 46% of the Public Facilities budget to be expended on energy. In absolute terms, energy costs are estimated to be approximately \$600,000 higher in FY 2010, including High Rock.

In light of this, the Finance Committee is heartened that the PPBC is investigating alternative energy sources for new buildings, as well as pursuing compliance with the LEED (Leadership in Energy and Environmental Design) standards for "green" construction. We are also pleased that the Town has, with assistance from a member of our committee, done an energy audit of three School Department buildings that identified the potential for significant savings through various energy conservation measures, and we expect at least some of those savings will be realized going forward.

Community Services

There is little change in this area, but we are recommending a modest addition to the Library budget to provide additional hours for check-in of books. The usage of the Library has increased significantly since its renovation, but this has put an increased stress on the staff and materials, whose budget is still sized for the old facility. We are

also recommending adding \$3,600 to the Health Department budget, at the suggestion of the Board of Health, for annual testing of the new artificial turf fields for chemical emissions.

Town Wide Expenses

28% of overall budget, 4.0% increase. Estimated health insurance costs are up, but the amount of the yearly increases is moderating. Health insurance costs are only forecast to increase 6.1% in FY 2010, which is lower than FY 2009's 9% increase. Debt service continues to rise, which reflects votes by both (1) the citizenry on overrides and (2) past Town Meetings on warrant articles to approve various capital projects funded by borrowing.

Capital Budget

At the time of this writing, the Finance Committee has not yet completed consideration of the capital-related warrant articles. In terms of cash capital, however, we will be recommending that Town Meeting spend approximately \$1.1 million on the Cash Capital Article in the warrant. In recent years, we have recommended between \$1 million and \$1.2 million be spent on cash capital in the Town Meeting warrant. However, for the past two years, this modest amount has been supplemented with additional funds from extraordinary Free Cash or, during the Special Town Meeting, by appropriating money for cash capital from the current year's Reserve Fund. That will not be possible this year, and the outstanding requests for cash capital total over \$2.1 million. Thus, there will be a significant number of capital projects, totaling about \$1 million, which will not receive funding in FY 2010.

Debt

Due to numerous policies and practices surrounding the management of our operating budget and our borrowing for larger projects, the Town has maintained its AAA credit rating from Standard & Poor's once again this year. This rating leads to lower borrowing costs and, in a time where credit markets are partially locked up, ensures that we can in fact go to market to borrow when we must.

Given past authorizations to borrow for large projects, notably the various new school buildings and the library, the amount of debt service in the budget has continued to rise. It will actually peak, assuming no new projects, next year in FY 2011. Assuming the passage of various new projects such as the Newman School renovation and the Town Hall renovation this year, debt service will peak around FY 2014. The Finance Committee, Town Manager, and Selectmen have continued to stay as close as possible to the long-standing policy of keeping total debt service to 10% or less of total revenue, and general debt service to 3% or less of total revenue.

Closing Thoughts

We have dodged the proverbial bullet this year, and are able to recommend this operating budget, which will continue to provide the citizens of Needham with the same level of service from their government to which they are accustomed. However, unless new sources of revenue are available, it appears at present that it will be much more difficult to achieve a balanced budget next year, in fiscal 2011, without making cuts. An example of the type of difficulties that lie ahead is that, like all other investments, Needham's pension fund investments have lost value recently. That implies that in the next year or two the Town will have to begin making increased contributions to offset the pension fund losses, and that this money will not be available to fund all the various other needs in the operating budget.

At Town Meeting in May, we expect to provide you with additional details on the over \$1 million expended to date on extraordinary repairs to the Newman School, on tax and revenue trends, and on how these trends have interacted to obviate the need for the operating budget reductions that are being faced by so many other communities in our Commonwealth.

The Finance Committee wishes to thank the Town Finance Director, the Town Manager, the Superintendent, and all the committees, boards, department heads, and other Town officials and employees with whom we have worked this past year for their patience and cooperation in helping us determine the financial impacts of the services they provide to Needham. The Chairman also wishes to thank each of the Finance Committee members, who have volunteered their time and worked so hard to examine in detail all of the departmental budgets and various capital requests that have been presented to the Committee. Finally, we acknowledge the prodigious efforts and sage advice of our Executive Secretary, Louise Miller.

David Escalante, Chairman
Lisa Zappala, Vice Chairman
Richard Creem, Past Chairman
Scott Brightman
Richard Reilly

Steven Rosenstock
Michael Taggart
Richard Zimbone

Louise Miller, Executive Secretary

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Summary of Revenue
FY 2008 - FY 2010
General Fund Only

	Actual FY 2008	Budget FY 2009	Preliminary FY 2010
Local Estimated Receipts			
Local Excises and Other Tax Related Collections	\$5,010,339	\$4,340,000	\$4,340,000
Departmental Activities	\$4,008,199	\$3,020,000	\$3,325,000
Fines & Forfeits & Assessments	\$145,000	\$145,000	\$155,000
Investment Income	\$1,253,286	\$650,000	\$650,000
Miscellaneous Revenue	\$269,448	\$280,843	\$250,000
Miscellaneous Non-recurring	<u>\$398,900</u>	<u>\$12,451</u>	<u>\$0</u>
SUB-TOTAL	\$11,085,172	\$8,448,294	\$8,720,000
Property Taxes & State Aid			
Real & Personal Property Tax Levy	\$78,158,358	\$81,925,650	\$87,039,696
Cherry Sheet Revenue (State Aid)	<u>\$8,302,525</u>	<u>\$9,376,375</u>	<u>\$8,510,381</u>
SUB-TOTAL	\$86,460,883	\$91,302,025	\$95,550,077
Other Available Funds & Free Cash			
Undesignated Fund Balance (Free Cash)	\$3,266,326	\$5,810,170	\$3,145,416
Overlay Surplus	\$400,263	\$400,000	\$500,000
Reserved for Appropriation - Parking	\$85,000	\$67,000	\$67,000
Reserved for Appropriation - C & D	\$21,895	\$0	\$0
Transfer from other Articles	\$30,218	\$0	\$51,683
Other Available Funds	\$631,164	\$643,424	\$0
Reserved for Debt Exclusion Offset	<u>\$381,156</u>	<u>\$380,238</u>	<u>\$390,110</u>
SUB-TOTAL	\$4,816,022	\$7,300,831	\$4,154,209
Total General Fund Revenue	\$102,362,077	\$107,051,150	\$108,424,286
Adjustments to General Fund Revenue			
Less Other Amounts Required to be Provided	(\$69,736)	(\$77,023)	(\$88,679)
Less State & County Assessments	(\$1,057,780)	(\$1,103,256)	(\$1,066,633)
Less Provisions for Abatements & Exemptions	(\$919,602)	(\$1,100,000)	(\$800,000)
Enterprise Reimbursements	<u>\$1,602,801</u>	<u>\$1,710,496</u>	<u>\$1,710,000</u>
SUB-TOTAL	(\$444,317)	(\$569,783)	(\$245,312)
General Fund Revenue Available for Appropriation	\$101,917,760	\$106,481,367	\$108,178,974

Account Balances

Free Cash	As of February 28, 2009	\$3,145,416
RTS Retained Earnings	As of February 28, 2009	\$566,413
Sewer Retained Earnings	As of February 28, 2009	\$3,452,178
Water Retained Earnings	As of February 28, 2009	\$2,995,133
Capital Improvement Fund	As of February 28, 2009	\$472,665
Capital Facility Fund	As of February 28, 2009	\$625,781
Parking Meter Fund	As of February 28, 2009	\$78,659
Stabilization Fund	As of February 28, 2009	\$3,195,166

**Summary of Expenditures
FY 2008 - FY 2010
General Fund Only**

	Expended - Appropriated FY 2008	Current Budget FY 2009	Recommended FY 2010
Town Wide Group	\$24,928,078	\$28,201,561	\$29,331,738
Department Budgets			
Board of Selectmen/Town Manager	\$673,556	\$744,852	\$777,993
Town Clerk/Board of Registrars	\$278,346	\$308,938	\$292,699
Town Counsel	\$258,730	\$258,855	\$260,489
Personnel Board	\$10,407	\$11,601	\$11,600
Finance Department	\$1,886,599	\$2,089,820	\$2,102,896
Finance Committee	\$28,552	\$29,447	\$30,561
Planning Board	\$194,520	\$213,390	\$220,487
Conservation Department	\$68,112	\$72,835	\$77,785
Board of Appeals	\$26,204	\$28,381	\$28,651
Police Department	\$4,544,182	\$4,929,425	\$5,159,371
Fire Department	\$5,631,167	\$5,868,814	\$5,824,121
Building Inspector	\$398,471	\$430,272	\$450,925
Needham Public Schools	\$40,799,834	\$42,635,484	\$45,382,885
Minuteman Regional High School	\$566,363	\$377,427	\$435,733
Department of Public Works	\$4,798,896	\$4,598,049	\$4,817,418
Municipal Parking Program	\$194,881	\$203,900	\$282,900
Municipal Street Lighting Program	\$307,000	\$328,500	\$285,300
Department of Public Facilities	\$6,527,259	\$6,905,074	\$7,734,532
Health Department	\$384,831	\$429,532	\$446,845
Diversified Community Social Services	\$471,531	\$531,103	\$555,607
Commission on Disabilities	\$0	\$550	\$550
Historical Commission	\$0	\$1,050	\$1,050
Library	\$1,235,342	\$1,260,426	\$1,313,003
Park & Recreation	\$521,129	\$533,976	\$543,305
Memorial Park	\$386	\$750	\$750
Department Budget Total	\$69,806,298	\$72,792,451	\$77,037,456
Town Wide & Department Budget Total	\$94,734,376	\$100,994,012	\$106,369,194
Other Appropriated Uses of General Funds			
General Fund Cash Capital	\$1,613,764	\$4,003,629	\$1,211,416
Other Financial Warrant Articles	\$173,609	\$147,415	\$35,000
Transfers to Other Funds/Projects	\$807,594	\$1,336,311	\$563,364
Total from General Funds	\$97,329,343	\$106,481,367	\$108,178,974

**Town of Needham
General Fund
FY 2010 Budget Recommendation - Submitted by the Finance Committee**

FY 2010 Budget Recommendation - Submitted by the Finance Committee									
Line	Description	FY 2008		FY 2009		FY 2010		FTE*	% Change from 09
		Expend	FTE*	Town Meeting Voted Budget as of November 1, 2008	FTE*	Finance Committee Recommendation			
<u>Townwide Expenses</u>									
1	Non-Contributory Retirement Payments	\$	121,166	\$	119,000	\$	89,000		
2	Contributory Retirement System	\$	3,890,268	\$	4,121,326	\$	4,271,094		
3	Group Health Insurance	\$	7,164,490	\$	8,258,510	\$	8,867,300		
4	Retiree Insurance & Insurance Liability Fund	\$	3,502,950	\$	3,702,211	\$	3,446,556		
5	Unemployment Compensation	\$	74,610	\$	88,400	\$	92,000		
6	Debt Service	\$	9,322,655	\$	9,562,263	\$	9,886,980		
7	Workers Compensation	\$	385,087	\$	385,000	\$	385,000		
8	Casualty Liability & Self Insurance Program	\$	466,852	\$	500,000	\$	525,000		
9	Classification Performance & Settlements		Transfers Only	\$	265,000	\$	512,300		
10	Reserve Fund		Transfers Only	\$	1,199,851	\$	1,256,508		
	Total	\$	24,928,078	\$	28,201,561	\$	29,331,738		
Townwide Expenses Total		\$	24,928,078	\$	28,201,561	\$	29,331,738		4.0%

Board of Selectmen & Town Manager

11A	Salary & Wages	\$ 502,733	6.8	\$ 578,402.00	7.8	\$ 611,543.00	8.0		
11B	Purchase of Service & Expenses	\$ 170,823		\$ 166,450.00		\$ 166,450.00			
	Total	\$ 673,556		\$ 744,852		\$ 777,993			

Town Clerk & Board of Registrars

12A	Salary & Wages	\$ 248,150	4.6	\$ 272,403	4.6	\$ 258,719	4.6		
12B	Purchase of Service & Expenses	\$ 30,196		\$ 36,535		\$ 33,980			
	Total	\$ 278,346		\$ 308,938		\$ 292,699			

Town Counsel

13A	Salary & Wages	\$ 65,464		\$ 65,355		\$ 66,989			
13B	Purchase of Service & Expenses	\$ 193,266		\$ 193,500		\$ 193,500			
	Total	\$ 258,730		\$ 258,855		\$ 260,489			

¹ includes \$260,146 in employee benefits and assessment costs funded in the operating override for the High Rock School.

Town of Needham
General Fund

FY 2010 Budget Recommendation - Submitted by the Finance Committee

Line	Description	FY 2008		FY 2009		FY 2010	FY 2010	FY 2010	FY 2010
		Expend	FTE*	Town Meeting Voted Budget as of November 1, 2008	FTE*				
<u>Personnel Board</u>									
14A	Salary & Wages	\$ 407		\$ 1,601		\$ 1,100			
14B	Purchase of Service & Expenses	\$ 10,000		\$ 10,000		\$ 10,500			
	Total	\$ 10,407		\$ 11,601		\$ 11,600			
<u>Finance Department</u>									
15A	Salary & Wages	\$ 1,223,205	21.7	\$ 1,304,013	21.7	\$ 1,350,144	21.7		
15B	Purchase of Service & Expenses	\$ 643,700		\$ 760,807		\$ 715,252			
15C	Capital	\$ 19,694		\$ 25,000		\$ 37,500			
	Total	\$ 1,886,599		\$ 2,089,820		\$ 2,102,896			
<u>Finance Committee</u>									
16A	Salary & Wages	\$ 28,033	0.5	\$ 28,547	0.5	\$ 29,261	0.5		
16B	Purchase of Service & Expenses	\$ 519		\$ 900		\$ 1,300			
	Total	\$ 28,552		\$ 29,447		\$ 30,561			
General Government Total									
		\$ 3,136,190	33.6	\$ 3,443,513	34.6	\$ 3,476,238	34.8	1.0%	
<u>Planning Department</u>									
17A	Salary & Wages	\$ 176,760	3.0	\$ 197,130	3.0	\$ 204,227	3.0		
17B	Purchase of Service & Expenses	\$ 17,760		\$ 16,260		\$ 16,260			
	Total	\$ 194,520		\$ 213,390		\$ 220,487			
<u>Conservation Department</u>									
18A	Salary & Wages	\$ 61,876	1.3	\$ 64,730	1.3	\$ 69,630	1.3		
18B	Purchase of Service & Expenses	\$ 6,236		\$ 8,105		\$ 8,155			
	Total	\$ 68,112		\$ 72,835		\$ 77,785			
<u>Board of Appeals</u>									
19A	Salary & Wages	\$ 23,048	0.6	\$ 25,091	0.6	\$ 24,563	0.6		
19B	Purchase of Service & Expenses	\$ 3,156		\$ 3,290		\$ 4,088			
	Total	\$ 26,204		\$ 28,381		\$ 28,651			
Land Use and Development Total									
		\$ 288,836	4.9	\$ 314,606	4.9	\$ 326,923	4.9	3.9%	

**Town of Needham
General Fund**

FY 2010 Budget Recommendation - Submitted by the Finance Committee

FY 2010 Budget Recommendation - Submitted by the Finance Committee										
Line	Description	FY 2008		FY 2009		FTE*	FY 2010		FTE*	% Change from 09
		Expended		Town Meeting Voted Budget as of November 1, 2008			Finance Committee Recommendation			
<u>Police Department</u>										
20A	Salary & Wages	\$ 4,121,833	58.0	\$ 4,518,785	58.0		\$ 4,762,651	58.0		
20B	Purchase of Service & Expenses	\$ 281,767		\$ 272,606			\$ 277,820			
20C	Capital	\$ 140,582		\$ 138,034			\$ 118,900			
	Total	\$ 4,544,182		\$ 4,929,425			\$ 5,159,371	²		
<u>Fire Department</u>										
21A	Salary & Wages	\$ 5,395,630	74.0	\$ 5,606,826	74.0		\$ 5,517,917	74.0		
21B	Purchase of Service & Expenses	\$ 235,537		\$ 261,988			\$ 290,415			
21C	Capital	\$ -		\$ -			\$ 15,789			
	Total	\$ 5,631,167		\$ 5,868,814			\$ 5,824,121			
<u>Building Inspector</u>										
22A	Salary & Wages	\$ 385,629	7.2	\$ 414,590	7.2		\$ 435,243	7.2		
22B	Purchase of Service & Expenses	\$ 12,842		\$ 15,682			\$ 15,682			
	Total	\$ 398,471		\$ 430,272			\$ 450,925			
<u>Public Safety Total</u>										
		\$ 10,573,820	139.2	\$ 11,228,511	139.2		\$ 11,434,417	139.2	1.8%	
<u>Minuteman Assessment</u>										
23	Assessment	\$ 566,363		\$ 377,427			\$ 435,733			
	TOTAL	\$ 566,363		\$ 377,427			\$ 435,733			
<u>Needham Public Schools</u>										
24	Needham Public School Budget	\$ 40,799,834	561.2	\$ 42,635,484	572.4		\$ 45,382,885	620.4		
	TOTAL	\$ 40,799,834		\$ 42,635,484			\$ 45,382,885	³		
<u>Public Schools Total</u>										
		\$ 41,366,197	561.2	\$ 43,012,911	572.4		\$ 45,818,618	620.4	6.5%	

² includes \$42,900 funded in the operating override for the High Rock School.

³ includes \$1,057,272 funded in the operating override for the High Rock School. Large increase in FTEs is in part due to School Department change in FTE counting methodology

Town of Needham
General Fund

FY 2010 Budget Recommendation - Submitted by the Finance Committee

Line	Description	FY 2008 Expended	FTE*	Town Meeting Voted Budget as of November 1, 2008	FTE*	FY 2010 Finance Committee Recommendation	% Change from 09	FY 2010 Amendments
<u>Department of Public Works</u>								
25A	Salary & Wages	\$ 2,917,255	55.3	\$ 3,111,145	55.3	\$ 3,224,668		
25B	Purchase of Service & Expenses	\$ 1,184,263		\$ 1,286,904		\$ 1,387,250		
25C	Capital	\$ -		\$ -		\$ 5,500		
25D	Snow and Ice	\$ 697,378		\$ 200,000		\$ 200,000		
	Total	\$ 4,798,896		\$ 4,598,049		\$ 4,817,418		
<u>Municipal Parking Program</u>								
26	Municipal Parking Program	\$ 194,881		\$ 203,900		\$ 282,900		
	Total	\$ 194,881		\$ 203,900		\$ 282,900		
<u>Municipal Lighting Program</u>								
27	Municipal Lighting Program	\$ 307,000		\$ 328,500		\$ 285,300		
	Total	\$ 307,000		\$ 328,500		\$ 285,300		
	Public Works Total	\$ 5,300,777	55.3	\$ 5,130,449	55.3	\$ 5,385,618	56.3	5.0%
<u>Department of Public Facilities</u>								
28A	Salary & Wages	\$ 2,449,823	51.0	\$ 2,590,614	51.0	\$ 2,732,256	56.7	
28B	Purchase of Service & Expenses	\$ 4,077,436		\$ 4,307,460		\$ 5,002,276		
28C	Capital	\$ -		\$ 7,000		\$ -		
	Total	\$ 6,527,259		\$ 6,905,074		\$ 7,734,532	4	
	Public Facilities Total	\$ 6,527,259	51.0	\$ 6,905,074	51.0	\$ 7,734,532	56.7	12.0%
<u>Health Department</u>								
29A	Salary & Wages	\$ 342,034	5.7	\$ 360,069	5.7	\$ 372,490	5.9	
29B	Purchase of Service & Expenses	\$ 42,797		\$ 69,463		\$ 74,355		
	Total	\$ 384,831		\$ 429,532		\$ 446,845		
<u>Diversified Community Social Services</u>								
30A	Salary & Wages	\$ 452,938	8.9	\$ 491,742	9.1	\$ 515,937	8.3	
30B	Purchase of Service & Expenses	\$ 18,593		\$ 39,361		\$ 39,670		
	Total	\$ 471,531		\$ 531,103		\$ 555,607		

⁴ includes \$527,611 funded in the operating override for the High Rock School.

**Town of Needham
General Fund
FY 2010 Budget Recommendation - Submitted by the Finance Committee**

Line	Description	FY 2008 Expended	FTE*	FY 2009 Town Meeting Voted Budget as of November 1, 2008	FTE*	FY 2010 Finance Committee Recommendation	FTE*	% Change from 09	FY 2010 Amendments
<u>Commission on Disabilities</u>									
31A	Salary & Wages	\$ -	-	\$ -	-	\$ -	-		
31B	Purchase of Service & Expenses	\$ -	-	\$ 550		\$ 550			
	Total	\$ -	-	\$ 550		\$ 550			
<u>Historical Commission</u>									
32A	Salary & Wages	\$ -	-	\$ -	-	\$ -	-		
32B	Purchase of Service & Expenses	\$ -	-	\$ 1,050		\$ 1,050			
	Total	\$ -	-	\$ 1,050		\$ 1,050			
<u>Needham Public Library</u>									
33A	Salary & Wages	\$ 1,000,410	21.7	\$ 1,009,467	21.7	\$ 1,049,991	22.2		
33B	Purchase of Service & Expenses	\$ 234,932		\$ 250,959		\$ 263,012			
	Total	\$ 1,235,342		\$ 1,260,426		\$ 1,313,003			
<u>Park & Recreation Department</u>									
34A	Salary & Wages	\$ 410,493	4.0	\$ 423,101	4.0	\$ 432,430	4.0		
34B	Purchase of Service & Expenses	\$ 110,636		\$ 110,875		\$ 110,875			
	Total	\$ 521,129		\$ 533,976		\$ 543,305			
<u>Memorial Park</u>									
35A	Salary & Wages	\$ -	-	\$ -	-	\$ -	-		
35B	Purchase of Service & Expenses	\$ 386		\$ 750		\$ 750			
	Total	\$ 386		\$ 750		\$ 750			
Community Services Total									
		\$ 2,613,219	40.3	\$ 2,757,387	40.5	\$ 2,861,110	40.4	3.8%	
Department Budgets Total									
		\$ 69,806,298	885.5	\$ 72,792,451	897.9	\$ 77,037,456	952.7	5.8%	
Total Operating Budget									
		\$ 94,734,376		\$ 100,994,012		\$ 106,369,194		5.3%	

* The FTE count is provided for informational purposes only.

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 14, 2009
TOWN OF NEEDHAM
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the constables in the Town of Needham in said County. Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town Affairs to meet in their respective voting places in said Town namely:

Precinct A	-	Hillside School - Gymnasium
Precinct B	-	Hillside School - Gymnasium
Precinct C	-	Newman Elementary School - Gymnasium
Precinct D	-	Newman Elementary School - Gymnasium
Precinct E	-	Pollard Middle School - Room 226
Precinct F	-	Stephen Palmer Community Room
Precinct G	-	Broadmeadow School - Performance Center
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE FOURTEENTH DAY OF APRIL, 2009

from forty-five minutes after six o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

One Moderator for One Year;
Two Selectmen for Three Years;
One Assessor for Three Years;
Two Members of School Committee for Three Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – veteran) for Three Years;
One Trustee of Memorial Park (trustee of soldiers' memorials – non-veteran) for Three Years;
Two Trustees of Needham Public Library for Three Years;
One Member of Board of Health for Three Years;
One Member of Board of Health for One Year;
One Member of Planning Board for Five Years;
One Member of Needham Housing Authority for Five Years;
One Member of Needham Housing Authority for One Year;
One Commissioner of Trust Funds for Three Years;
Two Members of Park and Recreation Commission for Three Years;

Eight Town Meeting Members from Precinct A for Three Years;
Seven Town Meeting Members from Precinct B for Three Years;

One Town Meeting Member from Precinct B for One Year;
Eight Town Meeting Members from Precinct C for Three Years;
One Town Meeting Member from Precinct C for One Year;
Eight Town Meeting Members from Precinct D for Three Years;
Eight Town Meeting Members from Precinct E for Three Years;
Eight Town Meeting Members from Precinct F for Three Years;
Eight Town Meeting Members from Precinct G for Three Years;
Eight Town Meeting Members from Precinct H for Three Years;
One Town Meeting Member from Precinct H for Two Years;
Nine Town Meeting Members from Precinct I for Three Years;
Eight Town Meeting Members from Precinct J for Three Years;
One Town Meeting Member from Precinct J for One Year.

Warrant for the Annual Town Meeting

MONDAY, MAY 4, 2009 AT 7:30 P.M. AT NEWMAN ELEMENTARY SCHOOL

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

ZONING/LAND USE ARTICLES

ARTICLE 3: AMEND ZONING BY-LAW – NEEDHAM CENTER OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 1.3 Definitions, by adding the following terms and definitions in appropriate alphabetical order as follows:

"Affordable Housing Unit: A dwelling unit that is affordable to and occupied by a household with income at or below eighty (80) percent of the area median income that applies to subsidized housing in the Town of Needham, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development (HUD), and meets all applicable requirements for inclusion on the Chapter 40B Subsidized Housing Inventory. Except as may be provided elsewhere in this bylaw, each affordable housing unit shall be eligible for inclusion in the Chapter 40B Subsidized Housing Inventory, in accordance with regulations or policies of the Massachusetts Department of Housing and Community Development (DHCD). As used in this bylaw, "affordable housing unit" and "affordable unit" shall have the same meaning.

Affordable Housing Restriction: A contract, mortgage agreement, deed restriction, or other legal instrument, acceptable in form and substance to the Town of Needham, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of M.G.L. c.184, ss. 31-33 or other applicable state law. The Board of Selectmen of the Town of Needham may accept, hold, and enforce affordable housing restrictions.

Green Building: A building designed, constructed, and operated and maintained throughout its life cycle to conserve energy and water, reduce environmental impacts, and protect the health of the general public and occupants of the building.

Mixed-Use Building: A building in the Needham Center, Chestnut Street or Garden Street Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground-floor and upper-floor space is used for other commercial use(s) or dwelling unit(s).

Mixed-Use Development: Two (2) or more buildings in the Chestnut Street Overlay District on one lot, with retail use(s) or mixed-use buildings facing the street and other buildings for commercial use(s), mixed uses or multi-family dwelling(s) located to the rear of the lot, connected by walkways, landscaping and pedestrian amenities, and shared parking.

Dwelling, Multi-Family: A building in the Needham Center, Chestnut Street or Garden Street Overlay District containing three or more dwelling units, which building houses only residential uses.

Needham Center Off-Street Parking Fund: A special revenue fund established under chapter 438 of the acts of 2008 to support the provision of off-street parking in the area governed by the act.”

- (b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“NC -- Needham Center Overlay”

- (c) Amend Section 3, Use Regulations, by adding a new Subsection 3.8, Needham Center Overlay District, to read as follows:

“3.8 Needham Center Overlay District

3.8.1 Purposes of District

The purposes of the Needham Center Overlay District are to encourage redevelopment of existing properties and infill development of an appropriate scale, density, mix of uses and design for a suburban downtown, substantially as set forth in the Needham Center Development Plan dated March 30, 2009, and to establish sub-districts in which to achieve these purposes in a manner compatible with surrounding areas; to create and sustain a vibrant, walkable downtown area; and to create opportunities for housing within walking distance of goods and services, public transportation, and the civic life of the town. Toward these ends, development in the Needham Center Overlay District shall be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the design guidelines and all other requirements of this Section.

3.8.2 Scope of Authority

In the Needham Center Overlay District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Needham Center Overlay District shall apply, and by filing an application for a Special Permit, site plan review or

building permit under this Section 3.8, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Needham Center Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provision of the Needham Center Overlay District shall not apply.

3.8.3 Use Regulations

3.8.3.1 Permitted Uses

The following uses are permitted in the Needham Center Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.
- (c) Business uses permitted as of right in the underlying district.
- (d) Mixed-use building, not exceeding five dwelling units per building, with dwelling units allowed above the ground floor only.
- (e) Accessory uses permitted as of right in the underlying district.

3.8.3.2 Special Permit Uses

The following uses are permitted in the Needham Center Overlay District only upon the issuance of a Special Permit by the Planning Board under such conditions as it may require:

- (a) Business uses allowed by special permit in the underlying district.
- (b) Mixed-use building containing six or more dwelling units, with dwelling units located on floors above the ground floor or on the ground floor, provided that:
 - (1) Entrances to ground-floor dwelling units are located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building; and
 - (2) The ground floor of the front façade contains only retail or restaurant uses allowed as of right or by special permit.
- (c) Accessory uses permitted by special permit in the underlying district.

3.8.3.3 Multiple Buildings and Uses

In the Needham Center Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.8 of this By-Law.

3.8.3.4 Enclosed Parking

Enclosed parking in the Needham Center Overlay District shall conform to the requirements for the Center Business District in Section 4.4.6.

3.8.4 Dimensional Regulations

3.8.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Needham Center Overlay District:

- (a) Minimum Lot Area: 10,000 square feet.
- (b) Minimum Lot Frontage: 80 feet.
- (c) Minimum Front Setback: 0 feet from the front property line.
- (d) Maximum Front Setback: The lesser of 3 feet from the front property line, or the average setback of existing buildings within 100 feet on the same side of the street as the proposed development. The Planning Board may grant a Special Permit to waive this requirement when the applicant proposes to provide a pedestrian plaza, outdoor cafeteria or similar amenity in front of a building facing Great Plain Avenue, Highland Avenue, Chestnut Street, or Chapel Street.
- (e) Minimum Side and Rear Setback: For lots abutting a residential district, fifty (50) feet; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, no accessory uses shall be located within twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.3 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.

3.8.4.2 Building Height Requirements

The maximum building height in the Needham Center Overlay District shall be as follows:

- (a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet, or four stories and forty-eight (48) feet, provided that the fourth story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Subsection 3.8.8 below.

- (b) In Sub-District B: The maximum building height shall be thirty-five (35) feet and two and one-half stories as of right, or by Special Permit from the Planning Board, thirty-seven (37) feet and three stories, provided that the third story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.8.8 below.

Buildings developed under the regulations of the Needham Center Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.

3.8.4.3 Building Bulk and Other Requirements

Except as provided in subsections (a) and (b) below, the maximum floor area ratio in the Needham Center Overlay District shall be the same standard that applies in the Center Business District under Section 4.4.2(b), except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Needham Center Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Section 4.4.2.

- (a) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 2.0 in Sub-Districts A and B, subject to the decision standards in Section 3.8.7.
- (b) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 3.0 in Sub-Districts A and B, subject to the decision standards in Section 3.8.7 and the following additional requirements:
 - (1) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board, shall be required as a condition of special permit approval; and
 - (2) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces under Section 3.8.5 shall be allowed.

3.8.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in the Central Business District in Section 4.4.6 shall apply in the Needham Center Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:
 - (1) For retail stores or services, there shall be one space per 300 square feet of floor area, except that no parking spaces shall be required for a retail establishment with less than eight hundred (800) square feet of floor area.
 - (2) For any building in which more than forty (40) percent of the usable floor area is located above the ground floor, the minimum number of off-street parking spaces for upper-story business uses shall be eighty (80) percent of the number of spaces that would be required under Section 5.1.2, except that this reduction shall not apply to medical, dental and related health services or clinics.

- (3) For dwelling units in a mixed-use building, the minimum number of off-street parking spaces shall be one and one-half spaces per dwelling unit except as provided in Section 3.8.6(h).
- (b) In addition to the requirement for bicycle racks under Section 5.1.3(n), for a mixed-use building, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.
- (c) Except as provided in Section 3.8.4.3(b)(2) above, the Planning Board may grant a Special Permit to waive the requirements of Section 5.1.2 or Section 5.1.3, or the requirements of subsection (a) above, if a proposed development satisfies the conditions set forth in Section 5.1.1.6 and Section 3.8.5.1.

3.8.5.1 Needham Center Off-Street Parking Fund

- (a) A Special Permit may be granted to allow payment of a fee in lieu of the minimum number of off-street parking spaces required under this Section, if the Planning Board determines that:
 - (1) The applicant has reasonably demonstrated that it is uneconomic to accommodate all of the required parking spaces on the lot, given the area and shape of the lot, or under the building, given the size of the project;
 - (2) The applicant has reasonably demonstrated that it is infeasible to accommodate the required number of parking spaces through a combination of on-site parking and shared parking with an adjoining property; and
 - (3) The project has been designed to the extent feasible to reduce the required number of off-street parking spaces, e.g., by the inclusion of space for retail establishments with less than 800 sq. ft. of floor area, or a multi-story building with upper-story uses that qualify for reduced parking, as provided under Section 3.8.5(a).
- (b) The fee shall be computed on a per-space basis and paid into a special revenue fund known as the Needham Center Off-Street Parking Fund, to be used solely for the purpose of providing shared or public parking benefiting uses within the area covered by the Needham Center Development Plan.
- (c) The fee shall be determined by the Planning Board in accordance with the Needham Center Development Plan or the Town of Needham Capital Improvements Plan, as applicable, and paid by the applicant in two installments: one-half prior to the receipt of a building permit and one-half prior to receipt of a certificate of occupancy, unless the applicant chooses to pay the entire fee prior to receipt of a building permit.

3.8.6 Affordable Housing

Any mixed-use building with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.8.4.3.

- (b) For a development with not more than ten dwelling units, at least one unit shall be an affordable unit; and for a development with eleven or more dwelling units, at least ten percent shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number.
- (c) If the applicant provides at least one-half of the affordable units for households with incomes at or below fifty (50) percent of area median income, the remaining affordable units may be sold or rented to households with incomes up to 100 percent of area median income even if the latter units are not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.
- (d) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size and energy efficiency to the development's market-rate units.
- (e) The affordable units shall be constructed in proportion to the number of market-rate units in the development. Proportionality shall be determined by the number of building permits or certificates of occupancy issued for the affordable units and market-rate units, as applicable, or otherwise in accordance with a schedule set by the Planning Board in conditions imposed on the Special Permit.
- (f) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
- (g) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.
- (h) For affordable units with not more than one bedroom, the minimum number of parking spaces under section 3.8.5 shall be reduced to one space per unit.

3.8.7 Site Plan Review

For any project seeking a Special Permit under Sections 3.8.4.1, 3.8.4.2, or 3.8.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Needham Center Overlay District and conforms to the Design Guidelines in Section 3.8.8;

- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for the redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;
- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:
 - (1) Affordable housing units;
 - (2) Use of one or more renewable energy sources in the operation of the project;
 - (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or through payment of fees in lieu of off-street parking spaces except where such payment of fees is not allowed for a Special Permit under Section 3.8.4.3(b).

3.8.8 Design Guidelines

The Design Guidelines for the Needham Center Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department."

- (d) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Add a new paragraph after Neighborhood Business District to read as follows:

"In the Needham Center Overlay District a MAJOR PROJECT shall be as defined above in the Center Business District."

Under MINOR PROJECT, add a new paragraph after Medical Overlay District to read as follows:

"In the Needham Center Overlay District a MINOR PROJECT shall be as defined above in the Center Business District."

- (e) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.8 between "3.4" and "4.2.4," such that the revised sentence shall read:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law.”

- (f) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after “Center Business District” the words, “Needham Center Overlay District” such that the paragraph will read:

“The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as “Major” or “Minor Projects” under Site Plan Review.”

Under Section 7.7.4 Design Criteria, add the following paragraph after the paragraph which begins, “In addition to paragraph (4) above...”

“For requests for site plan reviews and special permits in the Needham Center Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Section 3.8 of this By-Law.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Articles 3-8 Introduction: *Articles 3-8 represent a package of proposed Zoning Bylaw amendments that stem from more than two years of work by the Planning Board and the Downtown Study Committee to prepare the Needham Center Development Plan. Articles 3-5 propose the creation of three new overlay districts in areas located within the existing Center Business and Chestnut Street Business Districts, and Articles 6-8 provide the boundary descriptions for each overlay district. Together, the proposed zoning changes support a comprehensive vision for revitalizing the downtown area. In concert with other elements of the Needham Center Development Plan, the overlay districts have been designed to address several needs, issues and constraints: traffic and circulation; the shape and physical form of the downtown area; parking supply, location, and needs of various users; existing property rights; the value of existing assets that must be accounted for in designing incentives to encourage redevelopment; and the quality of life in the adjacent residential neighborhoods.*

Needham Center is a much loved and used downtown, but it has untapped economic potential and represents missed opportunities to improve the built environment, public realm, traffic, and parking. During Needham Center’s heyday in the late 1800s and early 1900s, many beautifully designed buildings of two and three stories, and even some of four-stories, stood within a block of Town Hall and the Common. During the past century, however, our increasing use of the automobile along with the promulgation of zoning laws that reflect that auto dependence have promoted a suburban land use

pattern with widely distributed commercial development that detracts from the focus on and livability of the Center. Today, Needham Center's built environment has more than its share of one-story buildings with undistinguished facades. Despite a beautiful town common and pockets of attractive and pleasant streetscape, the public environment is marred by an overall unattractiveness, sidewalks that do not cater to pedestrians, inconsistent building setbacks, a lack of trees and green space, inadequate crosswalks, an excessive number of curb-cuts, and too many parking lots that face the street.

The Town's current zoning contributes to these problems by posing barriers to redevelopment. While some Needham Center properties still have room to expand, most have already reached or exceeded their maximum development potential. As a result, there is no incentive for new investment, which is critical for economic growth, increased property values, and the ability to provide public benefits such as traffic mitigation and parking. Creating opportunities to increase the size and massing of buildings will help to better define and improve the village spaces of the downtown area along the major streets.

The proposed overlay districts are designed to address these needs. The key trade-off for allowing more development and a wider range of uses in the overlay districts is mandating adherence to design guidelines. In exchange for complying with the new Needham Center design guidelines, property owners may pursue a special permit for more intensive use of existing properties, provide market-rate or mixed-income housing in a more encouraging environment than that which exists today, and gain some relief from existing parking requirements. In addition, a special permit will be considered for taller buildings in some parts of the downtown area. The special permit is important because it will allow the Planning Board to evaluate the impact of the visual change being proposed, both from immediate and distant vantage points.

The proposed zoning amendments are part of a long-term plan to guide the gradual redevelopment of Needham Center. For each proposed project, the Planning Board will hold public hearings, consider the proposal's consistency with the Needham Center Development Plan, and weigh the proposal's benefits against potential adverse impacts. The Planning Board will have the authority to deny a special permit if appropriate. The Board will not grant a special permit if the road system or parking infrastructure is insufficient to handle the projected impacts of a proposed development.

Article 3 Explanation: *Article 3, in combination with Article 6, proposes to create the Needham Center Overlay District. Article 3 lays out the regulatory framework for the new overlay district while Article 6 describes its geographic boundaries. The boundaries of the Needham Center Overlay District match the boundaries of the present Center Business District. Since Article 3 involves the creation of an overlay district, property owners in the Center Business District retain their existing zoning rights in the underlying zone. The Needham Center Overlay District creates additional choices by placing supplemental provisions on top of those which already exist in the underlying Center Business District. The overlay district's key provisions are summarized below.*

Designation of the District

The Needham Center Overlay District is bounded on the north by May Street and the existing zoning boundary line between the Center Business District and residentially zoned districts; on the east by Pickering Street and the existing zoning boundary line between the Center Business District and residentially zoned districts; on the south by the existing zoning boundary line between Center Business and residentially zoned districts, and by Keith Place; and on the west by the existing zoning boundary line between the Center Business District and the Single Residence B District, and by Eaton Square and the MBTA commuter railroad right-of-way.

Purpose of the District

The purpose of the Needham Center Overlay District is to encourage at an appropriate scale, density, mix of uses and design the redevelopment and infill development of existing properties in order to ensure a vibrant suburban village downtown that offers a diverse and sustainable mix of goods, services and housing informed by “smart growth” and transit-oriented development principles, substantially as set forth in the Needham Center Development Plan. The zoning seeks to encourage a more walkable downtown area; housing that is within walking distance of goods and services, public transportation, and the civic center of the town; and improved traffic flow and parking. The zoning for the district draws on a vision of historic Needham Center and the traditional New England village for inspiration and interprets it for contemporary life.

Definitions

New terms that appear in the package of zoning amendments but not elsewhere in the zoning bylaw are presented in alphabetical order: affordable housing unit; affordable housing restriction; green building; mixed-use building; mixed-use development; Needham Center off-street parking fund.

Permitted Uses

The Needham Center Overlay District lists the uses that are allowed as-of-right or by special permit. The use schedule largely mirrors that of the underlying Center Business District with one notable exception: the allowance of up to five upper-story housing units as-of-right, with additional units allowed by special permit.

Lot Area and Frontage

The Needham Center Overlay District requires the same minimum lot area (10,000 sq. ft.) and minimum lot frontage (80 ft.) as the underlying Center Business District.

Minimum Side and Rear Setbacks

For lots adjacent to the MBTA right-of-way, the minimum yard setback is twenty-five (25) feet from the lot line abutting the MBTA right-of-way. The ten (10) feet of the setback closest to the MBTA right-of-way must be suitably landscaped and not used for any other purpose except surface parking, if approved by special permit from the Planning Board. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, but an underground parking structure would be allowed if located entirely below the grade of the existing lot.

For lots abutting a residential district, the minimum yard setback is fifty (50) feet from the district boundary. The twenty-five (25) feet closest to the district boundary must be suitably landscaped and not used for any other purpose. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot setback provided the garage structure is located entirely below the grade of the existing lot and is set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater. The twenty-five (25) feet closest to the district boundary must be suitably landscaped over the surface of the garage structure.

Building Height Requirements

The Needham Center Overlay District has been divided into two sub-districts, A and B, in order to accommodate different height regulations. The proposed regulations allow increased heights in Sub-

District B to 2+1 stories and in Sub-District A to 3+1 stories. The “+1” designation means that the top floor is allowed if contained under a pitched roof or stepped back from the façade.

- (a) In Sub-District A, which lies along a portion of Great Plain Avenue, the minimum building height is two stories and twenty-seven (27) feet and the maximum building height allowed as-of-right is two and one-half stories and thirty-five (35) feet. The Planning Board has authority to grant a special permit to increase the maximum height to three stories and thirty-seven (37) feet, or four stories and forty-eight (48) feet if the fourth story is contained under a pitched roof or recessed from the face of the building. This type of fourth story is known as 3+1.*
- (b) In Sub-District B, which principally abuts the Town Hall and Town Common, the maximum building height is two and one-half stories and thirty-five (35) feet as-of-right. The Planning Board has authority to grant a special permit to increase the maximum height to three stories and thirty-seven (37) feet if the third story is contained under a pitched roof or recessed from the face of the building. This type of third story is known as 2+1. A reduced height profile was established for Sub-District B in order to enhance the Town Common as an urban open space while at the same time not overwhelming the Town Hall.*

Building Bulk and Other Requirements

One way to regulate density is through the use of a measurement called the Floor Area Ratio (FAR), which is the ratio of a building’s total floor area to the area of the lot. In the overlay district, the FAR calculation excludes underground parking. The FAR regulations encourage building massing that helps to define the street edge, which serves as a backdrop to the streetscape. The proposed maximum as-of-right FAR is 1.0. However, the Planning Board has authority to grant special permits for two “tiers” of increases in the FAR. For the first tier, the FAR can be increased to 2.0 in Sub-Districts A and B, subject to the following standards:

- (a) The adequacy of existing facilities to serve the proposed development;*
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;*
- (c) The degree to which the proposed project is consistent with the purposes of the Needham Center Overlay District and conforms to the design guidelines for the district;*
- (d) The degree to which the applicant’s proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;*
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for the redevelopment of the site, considering the site’s location and physical characteristics and the condition of existing improvements;*
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;*
- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following: (i) Affordable housing units; (ii) Use of one or more renewable energy*

sources in the operation of the project; (iii) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or through payment of fees in lieu of off-street parking spaces, except where such payment of fees is not allowed for a special permit.

For the second tier, the Planning Board has authority to grant a special permit to increase the maximum FAR to 3.0 in Sub-Districts A and B, subject to the decision standards listed above and the following additional requirements:

- (a) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board; and*
- (b) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces shall be allowed.*

Parking Waivers and the Off-Street Parking Fund

The proposed zoning provides for a special permit to waive strict compliance with off-street parking requirements if the applicant makes a mitigation payment to the Off-Street Parking Fund. Mitigation payments are to be based on a "cost per space" formula. The mitigation revenue may be used as a contribution toward the design or construction of new parking facilities, to lease parking spaces, or for parking management. The objectives of this provision are to facilitate redevelopment and enlist private-sector assistance with increasing the supply of public parking in Needham Center.

Affordable Housing

There was considerable discussion about affordable housing when the Needham Center Development Plan was prepared. In response, the proposed zoning requires affordable housing in larger mixed-use developments, i.e., those with six or more dwelling units. At least one affordable unit is required for a development with six to ten units. For a development with eleven or more units, at least 10 percent must be affordable. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number. Floor area devoted to affordable housing is exempt from the total floor area used to calculate maximum FAR.

ARTICLE 4: AMEND ZONING BY-LAW – LOWER CHESTNUT STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“LC -- Lower Chestnut Street Overlay”

- (b) Amend Section 3, Use Regulations, by adding a new Subsection 3.9, Lower Chestnut Street Overlay District, to read as follows:

“3.9 Lower Chestnut Street Overlay District

3.9.1 Purposes of District

The purposes of the Lower Chestnut Street Overlay District are to encourage redevelopment of existing properties in a manner that brings buildings close to the street, with landscaping and layouts and designs of sites and buildings conducive to pedestrian use; to reorganize and consolidate curb cuts through appropriate access management controls; and to create opportunities for Chestnut Street to serve as an attractive, safe, pedestrian-friendly street, substantially as set forth in the Needham Center Development Plan dated March 30, 2009. Toward these ends, development in the Lower Chestnut Street Overlay District shall be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the design guidelines and all other requirements of this Section.

3.9.2 Scope of Authority

In the Lower Chestnut Street District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Lower Chestnut Street Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.9, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Lower Chestnut Street Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Lower Chestnut Street Overlay District shall not apply.

3.9.3 Use Regulations

3.9.3.1 Permitted Uses

The following uses are permitted in the Lower Chestnut Street Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) All uses permitted as of right in the underlying district.
- (c) Mixed-use building, not exceeding five dwelling units per building, with dwelling units allowed above the ground floor only.
- (d) Accessory uses permitted as of right in the underlying district.

3.9.3.2 Special Permit Uses

The following uses are permitted in the Lower Chestnut Street Overlay District only upon the issuance of a Special Permit by the Planning Board under such conditions as it may require:

- (a) Business uses allowed by special permit in the underlying district, excluding an automobile service station.

- (b) Mixed-use building containing six or more dwelling units in a building, with dwelling units located on floors above the ground floor or on the ground floor, provided that:
 - (1) Entrances to ground-floor dwelling units are located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building; and
 - (2) The ground floor of the front façade contains only retail, restaurant or office uses allowed by right or by special permit.
- (c) Mixed-use development, provided that at least sixty (60) percent of the front side of the lot facing Chestnut Street, measured in percentage of linear feet of frontage, shall be occupied by a building or buildings located within twenty (20) feet of the street line, said building(s) to contain permitted business uses and which may contain upper-story dwelling units. Free-standing multi-family dwelling(s) associated with a mixed-use development shall be located toward the rear of the site and be connected to building(s) facing the street by means of landscaped walkways or a courtyard.
- (d) Accessory uses permitted by special permit in the underlying district.

3.9.3.3. Multiple Buildings and Uses

In the Lower Chestnut Street Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.9 of this By-Law.

3.9.3.4 Special Permit, Parking Garage

The Planning Board may issue a Special Permit for a parking garage or parking structure for more than three (3) vehicles, including both enclosed and open structures, above and below ground, serving uses within the area covered by the Downtown Development Plan, where the parking garage or structure is located within 1,000 feet of the uses it serves, subject to such setback requirements as the Planning Board may impose.

3.9.4 Dimensional Regulations

3.9.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Lower Chestnut Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 100 feet.
- (c) Minimum Front Setback: The lesser of 5 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development.
- (d) Maximum Front Setback: 15 feet from the front property line.

(e) Minimum Side and Rear Setback:

- (1) For lots abutting a residential district, fifty (50) feet from the lot line abutting the residential district; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, the twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.2 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.
- (2) For lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of twenty-five (25) feet from the lot line abutting the MBTA right-of-way, and the first ten (10) feet of the setback shall be suitably landscaped and not used for any other purpose, including an accessory use, except that within said ten (10) feet the Planning Board may grant a special permit for surface parking, provided that the parking area is suitably landscaped. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, except that within said fifteen (15) feet an underground parking structure is permitted if located entirely below the grade of the existing lot.

3.9.4.2 Building Height Requirements

The maximum building height in the Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of three stories and thirty-seven feet or four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.9.8 below.

Buildings in the Lower Chestnut Street Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.

3.9.4.3 Building Bulk and Other Requirements

The maximum floor area ratio in the Lower Chestnut Street Overlay District shall be 0.70, except that for lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit to increase the maximum floor area ratio as provided in subsections (a) and (b) below. The area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio under this section. Uses in the Lower Chestnut Street Overlay District shall not be subject to any other limitations on floor area ratio or building bulk such as those contained in Section 4.4.2.

- (a) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 1.5, subject to the decision standards in Section 3.9.7.

- (b) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 2.0, subject to the decision standards in Section 3.9.7 and the following additional requirements:
 - (1) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board, shall be required as a condition of special permit approval; and
 - (2) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces under Section 3.9.5 shall be allowed.

3.9.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 shall apply in the Lower Chestnut Street Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:
 - (1) For any building in which more than forty (40) percent of the usable floor area is located above the ground floor, the minimum number of off-street parking spaces for upper-story business uses shall be eighty (80) percent of the number of spaces that would be required under Section 5.1.2, except that this reduction shall not apply to medical, dental and related health services or clinics.
 - (2) For dwelling units in a mixed-use building or mixed-use development, the minimum number of off-street parking spaces shall be one and one-half spaces per dwelling unit.
- (b) In addition to the requirement for bicycle racks under Section 5.1.3(n), for a mixed-use building or mixed-use development, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.

3.9.5.1 Needham Center Off-Street Parking Fund

- (a) A Special Permit may be granted to allow payment of a fee in lieu of the minimum number of off-street parking spaces required under this Section, if the Planning Board determines that:
 - (1) The applicant has reasonably demonstrated that it is uneconomic to accommodate all of the required parking spaces on the lot, given the area and shape of the lot, or under the building, given the size of the project;
 - (2) The applicant has reasonably demonstrated that it is not feasible to accommodate the required number of parking spaces through a combination of on-site parking and shared parking with an adjoining property; and
 - (3) The project has been designed to the extent feasible to reduce the required number of off-street parking spaces, e.g., a multi-story building with upper-story uses that qualify for reduced parking, as provided under Section 3.9.5(a).
- (b) The fee shall be computed on a per-space basis and paid into a special revenue fund known as the Needham Center Off-Street Parking Fund, to be used solely for the purpose of providing

shared or public parking benefiting uses within the area covered by the Downtown Needham Development Plan.

- (c) The fee shall be determined by the Planning Board in accordance with the Needham Center Development Plan or the Town of Needham Capital Improvements Plan, as applicable, and paid by the applicant in two installments: one-half prior to the receipt of a building permit and one-half prior to receipt of a certificate of occupancy, unless the applicant chooses to pay the entire fee prior to receipt of a building permit.

3.9.6 Affordable Housing

Mixed-use buildings or mixed-use developments with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.9.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.

3.9.7 Site Plan Review

For any project seeking a Special Permit under Sections 3.9.4.1, 3.9.4.2 or 3.9.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following review criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Lower Chestnut Street Overlay District and conforms to the Design Guidelines under Section 3.9.8;
- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable to redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;
- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

- (1) Affordable housing units;
- (2) Use of one or more renewable energy sources in the operation of the project;
- (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or provided through payment of fees in lieu of off-street parking spaces except where such payment of fees is not allowed for a Special Permit under Section 3.9.4.3(b).

3.9.8 Design Guidelines

The Design Guidelines for the Lower Chestnut Street Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department.”

- (c) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Amend the paragraph after Neighborhood Business District by inserting after “Needham Center Overlay District” the words “and Lower Chestnut Street Overlay District” such that the paragraph will read as follows:

“In the Needham Center Overlay District and Lower Chestnut Street Overlay District, a MAJOR PROJECT shall be as defined above in the Center Business District.”

Under MINOR PROJECT, amend the paragraph after Medical Overlay District by inserting after “Needham Center Overlay District” the words “and Lower Chestnut Street Overlay District” such that the paragraph will read as follows:

“In the Needham Center Overlay District and Lower Chestnut Street Overlay District, a MINOR PROJECT shall be as defined above in the Center Business District.”

- (d) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.9 between “3.8” and “4.2.4,” such that the revised sentence shall read:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law.”

- (e) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after “Chestnut Street Business District” the words, “Lower Chestnut Street Overlay District” such that the paragraph will read:

“The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas

zoned as a Business District, Chestnut Street Business District, Lower Chestnut Street Overlay District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as “Major” or “Minor Projects” under Site Plan Review.”

Under Section 7.7.4 Design Criteria, amend the paragraph after the paragraph which begins, “In addition to paragraph (4) above...” by inserting after “Needham Center Overlay District” the words, “and the Lower Chestnut Street Overlay District and by revising the “Section 3.8” reference to read “Sections 3.8 and “3.9” such that the paragraph will read:

“For requests for site plan reviews and special permits in the Needham Center Overlay District and the Lower Chestnut Street Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Sections 3.8 and 3.9 of this By-Law.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: Article 4, in combination with Article 7, proposes to create the Lower Chestnut Street Overlay District. Article 4 provides the overlay district’s regulatory framework while Article 7 describes its geographic boundaries. The boundaries of the Lower Chestnut Street Overlay District coincide with the boundaries of the present Chestnut Street Business District south of Great Plain Avenue. The Lower Chestnut Street Overlay District is very similar to, and frequently cross-references, the Needham Center Overlay District described in Article 3 above.

Designation of the District

The Lower Chestnut Street Overlay District is bounded on the north by Keith Place and the northern property line of the Fire-Police Station Building; on the east by the existing zoning boundary line between the Chestnut Street Business District and residentially zoned districts; on the south by Junction Street and the MBTA commuter railroad right-of-way; and on the west by the same commuter railroad right-of-way, which also serves as the existing zoning boundary line between the Chestnut Street Business and General Residence District.

Purpose of the District

The purposes of the Lower Chestnut Street Overlay District are to encourage infill development and redevelopment of existing properties in a manner that brings buildings closer to the street, resulting in layouts and designs of sites, and buildings and landscaping that are conducive to more enjoyable use by pedestrians; to reorganize and consolidate curb cuts through appropriate access-management controls to improve both vehicular and pedestrian safety; and to create opportunities for Chestnut Street to emerge as an attractive, safe, pedestrian-friendly street, substantially as set forth in the Needham Center Development Plan.

Permitted Uses

Uses allowed as-of-right in the underlying Chestnut Street Business District are also allowed as-of-right in the Lower Chestnut Street Overlay District. In addition, a mixed-use building with up to five dwelling units is allowed as-of-right in the overlay district. With the exception of automobile service stations, the special permit business uses in the underlying district are allowed in the overlay district. Mixed-use buildings with more than five dwelling units and mixed-use developments, or developments with multiple buildings containing a mix of uses, are allowed by special permit as well.

Lot Area and Frontage

The Lower Chestnut Street Overlay District requires a larger minimum lot area (15,000 sq. ft.) and more lot frontage (100 ft.) than the Chestnut Street Business District (10,000 sq. ft. and 80 ft.). The purpose of these dimensional standards is to encourage parcel assembly and consolidate curb cuts.

Minimum Side and Rear Setbacks

For lots adjacent to the MBTA right-of-way, the minimum yard setback is twenty-five (25) feet from the lot line abutting the MBTA right-of-way. The ten (10) feet of the setback closest to the MBTA right-of-way must be suitably landscaped and not used for any other purpose except surface parking, if approved by special permit from the Planning Board. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, but an underground parking structure would be allowed if located entirely below the grade of the existing lot.

For lots abutting a residential district, the minimum yard setback is fifty (50) feet from the district boundary. The twenty-five (25) feet closest to the district boundary must be suitably landscaped and not used for any other purpose. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot setback provided the garage structure is located entirely below the grade of the existing lot and is set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater. The twenty-five (25) feet closest to the district boundary must be suitably landscaped over the surface of the garage structure.

Building Height Requirements

Much like the Needham Center Overlay District, the Lower Chestnut Street Overlay District provides for a special permit to increase the maximum building height from the as-of-right standard of two and one-half stories and thirty-five (35) feet to three stories and thirty-seven (37) feet or four stories and forty-eight (48) feet, i.e., a 3+1 story building. However, the special permit option applies only to properties with conforming frontage on Chestnut Street. In the Lower Chestnut Street Overlay District, "conforming frontage" means 100 ft.

Building Bulk and Other Requirements

The proposed maximum FAR in the Lower Chestnut Street Overlay District is 0.7. For lots with conforming frontage (100 ft.) on Chestnut Street, the Planning Board has authority to grant special permits for an increase in the maximum FAR to 1.5 or 2.0, subject to the same two-tier standards that apply in the Needham Center Overlay District.

Parking Waivers and the Off-Street Parking Fund

The Lower Chestnut Street Overlay District contains the same provisions for parking waivers and Off-Street Parking Fund payments that apply in the Needham Center Overlay District.

Affordable Housing

The Lower Chestnut Street Overlay District contains the same affordable housing provisions that apply in the Needham Center Overlay District.

ARTICLE 5: AMEND ZONING BY-LAW – GARDEN STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“GS -- Garden Street Overlay”

- (b) Amend Section 3, Use Regulations, by inserting a new Subsection 3.10, Garden Street Overlay District, to read as follows:

“3.10 Garden Street Overlay District

3.10.1 Purposes of District

The purposes of the Garden Street Overlay District are to encourage redevelopment and a modest intensification of use of existing properties in a manner compatible in scale and design with adjacent residential neighborhoods, with layouts and designs of sites and buildings conducive to pedestrian use, substantially as set forth in the Needham Center Development Plan dated March 30, 2009.

3.10.2 Scope of Authority

In the Garden Street Overlay District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Garden Street Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.10, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Garden Street Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Garden Street Overlay District shall not apply.

3.10.3 Use Regulations

3.10.3.1 Permitted Uses

Uses permitted as of right in the Lower Chestnut Street Overlay District shall also be permitted as of right in the Garden Street Overlay District, excluding retail establishments.

3.10.3.2 Special Permit Uses

The following uses may be allowed by Special Permit in Garden Street Overlay District:

- (a) Multi-family dwelling.
- (b) Mixed-use building that includes six or more dwelling units or any retail use allowed in the underlying district, subject to the requirements of Section 3.9.3.2(b).

3.10.3.3 Multiple Buildings and Uses

In the Garden Street Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.10 of this By-Law.

3.10.4 Dimensional Regulations

3.10.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Garden Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 80 feet.
- (c) Minimum Front Setback: The lesser of 10 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development.
- (d) Minimum Side and Rear Setback: 10 feet.

3.10.4.2 Building Height Requirements

The maximum building height in the Garden Street Overlay District shall be two and one-half stories and thirty-five (35) feet or, by Special Permit from the Planning Board, three stories and thirty-seven (37) feet, provided that the third story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines in Section 3.10.8 below. Buildings in the Garden Street Overlay District shall not be further subject to the maximum height regulations of the underlying district as contained in Section 4.4.3.

3.10.4.3 Building Bulk and Other Requirements

The maximum floor area ratio in the Garden Street Overlay District shall be 0.70. By Special Permit from the Planning Board, the maximum floor area ratio may be increased to 1.20 for a mixed-use building(s) and to 1.0 for a multi-family dwelling(s). The area of a building devoted to

underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio under this section. Uses in the Garden Street Overlay District shall not be subject to any other limitations on floor area ratio or building bulk such as those contained in Section 4.4.2.

3.10.5 Off-Street Parking

The off-street parking regulations that apply in the Lower Chestnut Street Overlay District shall also apply in the Garden Street Overlay District.

3.10.6 Affordable Housing

Any building or combination of buildings with six or more dwelling units on the lot shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.10.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.

3.10.7 Site Plan Review

For any project seeking a Special Permit under Section 3.10.4.2 or Section 3.10.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following review criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Garden Street Overlay District and conforms to the Design Guidelines under Section 3.10.8;
- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;

(g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

- (1) Affordable housing units;
- (2) Use of one or more renewable energy sources in the operation of the project;
- (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or provided through payment of fees in lieu of off-street parking spaces.

3.10.8 Design Guidelines

The Design Guidelines for the Garden Street Overlay District shall be as adopted, and as may be amended from time to time, by the Planning Board and available on file in the Needham Planning Department.”

(c) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Amend the paragraph after Neighborhood Business District by deleting the word “and” between “District” and “Lower” and inserting after “Lower Chestnut Street Overlay District” the words “or Garden Street Overlay District” such that the paragraph will read as follows:

“In the Needham Center Overlay District, Lower Chestnut Street Overlay District, or Garden Street Overlay District, a MAJOR PROJECT shall be as defined above in the Center Business District.”

Under MINOR PROJECT, amend the paragraph after Medical Overlay District by deleting the word “and” between “District” and “Lower” and inserting after “Lower Chestnut Street Overlay District” the words “or Garden Street Overlay District” such that the paragraph will read as follows:

“In the Needham Center Overlay District, Lower Chestnut Street Overlay District, or Garden Street Overlay District, a MINOR PROJECT shall be as defined above in the Center Business District.”

(d) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.10 between “3.9” and “4.2.4,” such that the revised sentence shall read:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 3.10, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law.”

(e) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after “Lower Chestnut Street Overlay District” the words, “Garden Street Overlay District” such that the paragraph will read:

“The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Lower Chestnut Street Overlay District, Garden Street Overlay District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as “Major” or “Minor Projects” under Site Plan Review.”

Under Section 7.7.4 Design Criteria, amend the paragraph after the paragraph which begins, “In addition to paragraph (4) above...” by adding a reference to the “Garden Street Overlay District” and “Section 3.10” of the By-Law such that the paragraph will read:

“For requests for site plan reviews and special permits in the Needham Center Overlay District, the Lower Chestnut Street Overlay District and the Garden Street Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Sections 3.8, 3.9 and 3.10 of this By-Law.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: Article 5, in combination with Article 8, proposes to create the Garden Street Overlay District. Article 5 provides the overlay district’s regulatory framework while Article 8 describes its geographic boundaries. The boundaries of the Garden Street Overlay District coincide with the boundaries of the present Chestnut Street Business District north of Great Plain Avenue.

Designation of the District

The Garden Street Overlay District is bounded on the north by May Street, on the east by the MBTA commuter railroad right-of-way, on the south by Eaton Square, and on the west by Garden Street.

Purpose of the District

The purpose of the Garden Street Overlay District is to encourage redevelopment and a modest intensification of use of existing properties in a manner compatible in scale and design with adjacent residential neighborhoods, with layouts and designs of sites, and buildings and landscaping that are conducive to pedestrian use, substantially as set forth in the Needham Center Development Plan.

Permitted Uses

Uses allowed as-of-right in the Lower Chestnut Street Overlay District and in the underlying Chestnut Street Business District are also allowed as-of-right in the Garden Street Overlay District, with the exception of retail establishments. Retail establishments, as well as multi-family dwellings and mixed-use buildings with more than six units are allowed only by special permit. Finally, unlike the Chestnut Street Business District, restaurant uses are not permitted by special permit in the Garden Street Overlay District.

Lot Area and Frontage

The Garden Street Overlay District requires the same minimum lot area (10,000 sq. ft.) as the underlying Chestnut Street Business District, but increases the minimum lot frontage requirement from (80 ft.) to (100 ft.) as is the case in the Lower Chestnut Street Overlay District.

Minimum Side and Rear Setbacks

In the Garden Street Overlay District, a minimum side and rear yard setback of 10 ft is required.

Building Height Requirements

The Garden Street Overlay District provides for a special permit to increase the maximum building height from the as-of-right standard of two and one-half stories and thirty-five (35) feet to three stories and thirty-seven (37) feet as long as the third story is contained under a pitched roof or recessed from the face of the building, i.e., a 2+1 story building.

Building Bulk and Other Requirements

The Garden Street Overlay District includes a maximum FAR of 0.7, just like the underlying Chestnut Street Business District. The Planning Board may issue a special permit to increase the maximum FAR to 1.0 for multi-family dwellings and 1.2 for all other uses.

Parking Waivers and the Off-Street Parking Fund

The Garden Street Overlay District contains the same off-street parking provisions as the Lower Chestnut Street Overlay District.

Affordable Housing

In the Garden Street Overlay District, mixed-use buildings and multi-family dwellings are subject to the same affordable housing provisions that apply in the Lower Chestnut Street Overlay District.

**ARTICLE 6: AMEND ZONING BY-LAW – MAP CHANGE TO NEEDHAM CENTER
OVERLAY DISTRICT, NEEDHAM CENTER OVERLAY SUB-DISTRICT A
AND NEEDHAM CENTER OVERLAY SUB-DISTRICT B**

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map as follows:

- (a) Place in the Needham Center Overlay District all that land described under Article 12 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Center Business District, said description being as follows:

“ Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of Great Plain Avenue and Pickering Street; then running northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running westerly and northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to a point where it intersects with the centerline of Highland Avenue; then running northerly along said centerline of Highland Avenue to a point where it intersects with the centerline of May Street; then running westerly along said centerline of May Street to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line; then running southerly along said right-of-way centerline to a point where it intersects with a line drawn through the southernmost point of Parcel 17, Assessors’ Plan 51 and also drawn perpendicular to the centerline of Eaton Square; then running westerly along said drawn line to a point where it intersects with the centerline of Eaton Square; then running northerly, northwesterly and westerly along said street centerline to a point where it intersects with the centerline of Garden Street; then running southerly along the centerline of Garden Street, which coincides with the boundary line between the existing Business District and a Single Residence B District to a point where said zoning boundary line turns westerly; then running westerly, northerly, westerly, northerly and westerly along said zoning boundary line to a point where it intersects with the centerline of Nehoiden Street; then running southeasterly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where it intersects with the centerline of Great Plain Avenue; then running westerly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where it intersects with the centerline of Linden Street; then running southerly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where said zoning boundary line turns easterly; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running northerly and easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and an Industrial District; then running northerly and easterly along said zoning boundary line to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line, which coincides with the boundary line between the existing Business District and an Industrial District; then running southerly along said right-of-way centerline to a point where it intersects with the extended centerline of Keith Place; then running easterly along said street centerline to a point where it intersects with the centerline of Chestnut Street; then running southerly along said street centerline to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running northerly along said zoning boundary line to a point where it turns easterly; then running easterly along said zoning boundary line to a point where it intersects with the centerline of Lincoln Street, which coincides with the boundary line between the existing Business District and a General Residence District; then running northerly along said zoning boundary line to a point where is intersects with the centerline of Dedham Avenue, which coincides with the boundary line between the existing Business District and a General Residence District; then running southeasterly along said boundary line to a point where

it turns northeasterly; then running northeasterly, southeasterly, and northeasterly along said zoning boundary line to a point where it intersects with a boundary line between the existing Business District and a Single Residence B District; then running westerly and northerly along said zoning boundary line to a point where it intersects with the centerline of Great Plain Avenue, which coincides with the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to the beginning point.”

- (b) Place in the Needham Center Overlay as Sub-District A the area bounded and described as follows:

“Beginning at the point of intersection of the centerlines of Great Plain Avenue and Pickering Street; thence running northerly along the centerline of Pickering Street to a point 75 feet north of the northerly sideline of Great Plain Avenue; thence turning and running westerly along a line parallel to and 75 feet distant from the northerly sideline of Great Plain Avenue to the centerline of Highland Avenue; thence turning and running southerly along the centerline of Highland Avenue to the point of intersection of the centerlines of Highland Avenue and Great Plain Avenue; thence turning and running westerly along the centerline of Great Plain Avenue to the point of intersection of the centerlines of Great Plain Avenue and Chapel Street; thence turning and running northerly along the centerline of Chapel Street to a point 75 feet north of the northerly sideline of Great Plain Avenue; thence turning and running westerly along a line parallel to and 75 feet distant from the northerly sideline of Great Plain Avenue to the centerline of the MBTA railroad right of way; thence turning and running southerly along the centerline of the MBTA railroad right of way to the point of intersection of the centerline of the MBTA railroad right of way and the centerline of Keith Place; thence turning and running easterly along the centerline of Keith Place to the point of intersection of the centerlines of Keith Place and Chestnut Street; thence turning and running southerly along the centerline of Chestnut Street to a point opposite the property line dividing the Needham Police and Fire Station property (Assessor’s Map 47 Parcel 56) and the property shown on Assessor’s Map 47 Parcel 57, said property line being more fully described as the southerly property line on a plan recorded at the Norfolk County Registry of Deeds as Plan 18 of 2008; thence turning and running easterly along said southerly property line a distance of approximately 249.99 feet to the easterly property line as shown on said plan; thence turning and running northerly along said easterly property line a distance of approximately 100.29 feet as shown on said plan; thence running in a northerly direction to a stone bound located at the southwesterly property corner of the First Parish Church property, said property corner being more fully described on a plan recorded in the Norfolk County Registry of Deeds (NCRD) as Plan 538 of 1944; thence turning and running easterly along the southerly property line of the said First Parish Church property a distance of approximately 157.65 feet as shown on said plan; thence running easterly to a point on the centerline of Lincoln Street opposite the southerly property line of the said First Parish Church property; thence turning and running northerly along the centerline of Lincoln Street to the point of intersection of the centerlines of Lincoln Street and Dedham Avenue; thence turning and running easterly along the centerline of Dedham Avenue to a point opposite the property line dividing the Town of Needham Parking Area property (Assessor’s Map 47 Parcel 8) recorded in the NCRD as Lot 7A on plan 1570 of 1952 and the property shown on Assessor’s Map 47 Parcel 5 and recorded in the NCRD as Lots 8A and 7D on plan 885 of 1961; thence turning and running northerly along said dividing property line approximately 139.55 feet to the northwesterly property corner of Lot 7A shown on NCRD plan 1570 of 1952; thence turning and running easterly along the northeasterly property line of Lot 7A recorded in NCRD as plan 1570 of 1952 a distance of approximately 95.17 feet; thence turning and running northerly a distance of approximately 22.73 feet to the northeasterly property corner of Lot 7B as shown on a plan

recorded in the NCRD as plan 1570 of 1952; thence turning and running westerly along the northerly property line of said Lot 7B and the northerly property line of the property recorded in the NCRD as plan 885 of 1961 to a point at the southeasterly corner of the property recorded in the Norfolk County Land Court as Case 11330; thence turning and running northerly along the easterly property line of Land Court Case 11330 a distance of approximately 156.80 to the northeasterly property corner; thence continuing northerly to a point on the centerline of Great Plain Avenue opposite the northeasterly property corner of Land Court Case 11330; thence turning and running westerly along the centerline of Great Plain Avenue to the point of beginning.”

- (c) Place in the Needham Center Overlay as Sub-District B all that land described under Article 12 of the May 9, 1990 Annual Town Meeting, excepting the area described above in paragraph (b) as “Sub-District A”.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: This article describes the geographical boundaries of the new Needham Center Overlay District (Sub-District A and Sub-District B), which is bounded on the north by May Street and by the existing zoning boundary line between the Center Business and residentially zoned districts; on the east by Pickering Street and by the existing zoning boundary line between the Center Business and residentially zoned districts; on the south by the existing zoning boundary line between the Center Business and residentially zoned districts, and by Keith Place; and on the west by the existing zoning boundary line between the Center Business and Single Residence B District, and by Eaton Square and the MBTA commuter railroad right-of-way.

ARTICLE 7: AMEND ZONING BY-LAW – MAP CHANGE TO LOWER CHESTNUT STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Lower Chestnut Street Overlay District all that land described in paragraph (a) under Article 10 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Chestnut Street Business District, said description being as follows:

“Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of School Street and Chestnut Street; then running northerly along the centerline of Chestnut Street to a point where it intersects with the centerline of Keith Place; then running westerly along the centerline of Keith Place to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line, said right-of-way centerline being the boundary line between the existing Business District and an Industrial District; then running southerly along said boundary line between the existing Business District and a General Residence District; then running southeasterly along said boundary line between the existing Business District and a Single Residence B District; then running northerly, easterly, northerly, easterly, northerly, westerly, northerly, westerly, northerly, westerly and northerly along said zoning boundary line to a point where it coincides with the boundary line between the existing Business District and a General Residence District; then running northerly, westerly and northerly along said zoning

boundary line to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District, which is coincidental with the centerline of School Street; then running westerly along said street centerline to the beginning point.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: This article describes the geographical boundaries of the new Lower Chestnut Street Overlay District, which is bounded on the north by Keith Place and by the northern property line of the Fire-Police Station Building; on the east by the existing zoning boundary line between the Chestnut Street Business and by the residentially zoned districts; on the south by Junction Street and the MBTA commuter railroad right-of-way; and on the west by the same commuter railroad right-of-way, which also serves as the existing zoning boundary line between the Chestnut Street Business and General Residence District.

ARTICLE 8: AMEND ZONING BY-LAW – MAP CHANGE TO GARDEN STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Garden Street Overlay District all that land described in paragraph (b) under Article 10 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Chestnut Street Business District, said description being as follows:

“Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of May Street and Garden Street; then running southerly, southwesterly and southeasterly along said zoning boundary line, which coincides with the centerline of Garden Street, to a point where it intersects with the centerline of Eaton Square; then running easterly, southeasterly and southerly along the centerline of Eaton Square to a point where it intersects with a line drawn perpendicular from the southernmost point of Parcel 17, Assessors’ Plan 51; then running easterly along said perpendicular drawn line to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line; then running northerly along said right-of-way centerline to a point where it intersects with the centerline of May Street, said street centerline being the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to the beginning point.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: This article describes the geographical boundaries of the new Garden Street Overlay District, which is bounded on the north by May Street; on the east by the MBTA commuter railroad right-of-way; on the south by Eaton Square; and on the west by Garden Street.

ARTICLE 9: AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS (LIMITED EXCEPTION TO LOT COVERAGE REGULATIONS BY SPECIAL PERMIT)

To see if the Town will vote to amend the Zoning By-Law, Section 4.7.5, Reduction in Dimensional Regulations by Special Permit, by adding the following underlined language to the title and first and second paragraphs thereof so that the entire section shall now read as follows (new language underlined):

“4.7.5 Change in Dimensional Regulations by Special Permit

In Single Residence A, Single Residence B, and General Residence Districts, the minimum front setback and the minimum side and rear line setback requirements may be reduced by not more than 10 percent, or the maximum lot coverage allowed may be increased by not more than 10 percent over the square footage allowed, provided that the increase in the area of lot covered may not exceed 150 square feet, by special permit granted by the Board of Appeals where the Board finds that the special permit may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of this By-Law and subject to the provisions of Section 7.5.2.

This Section 4.7.5 shall apply only to buildings and structures that have been constructed pursuant to a building permit issued by the Building Inspector. The purpose of this Section is to allow relief only in those unusual cases where excusable neglect or inadvertence have resulted in the construction of portions of buildings or structures in required setback areas, or in excess of maximum lot coverage requirements.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: The purpose of this article is to allow in the Single Residence A, Single Residence B, and General Residence Districts, relief from the maximum lot coverage requirements of the district in those unusual cases where excusable neglect or inadvertence have resulted in the construction of a portion of a building or structure in excess of said coverage requirements. The relief granted would be limited to not more than 10 percent of the square footage otherwise allowed, not to exceed 150 square feet, by special permit granted by the Board of Appeals.

HUMAN RESOURCES ARTICLES

ARTICLE 10: ESTABLISH ELECTED OFFICIALS’ SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2009, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$66,079
Town Clerk with 6 years of service in that position	\$78,924 (1)
Selectmen, Chairman	\$1,800
Selectmen, Others	\$1,500

- (1) In addition, the Town Clerk's compensation shall also include payment of longevity in the amount of \$3,947; the accumulation of 15 days of non-occupational sick leave per fiscal year; and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L., Chapter 32, in an amount not to exceed \$36,064. The annual salary of \$78,924 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$7,969. At the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$11,156; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

PERSONNEL BOARD RECOMMENDS THAT: Article be Adopted

Article Information: In accordance with MGL Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April, and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits as close to that of other full-time employees as possible. Payment for longevity, as well as buy-back of sick leave and vacation at the time of separation from Town service, is now included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000, such payment to be made at the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

ARTICLE 11: FUND COLLECTIVE BARGAINING AGREEMENT – FIRE UNION

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Fire Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2010; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 12: FUND COLLECTIVE BARGAINING AGREEMENT – PUBLIC FACILITIES CUSTODIAL AND TRADES

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Public Facilities Custodial and Trades Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2010; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

GENERAL ARTICLES

ARTICLE 13: ACCEPT PROVISIONS OF M.G.L., CHAPTER 59, SECTION 5 (41C)

To see if the Town will vote to accept the provisions of M.G.L., Chapter 59, Section 5, Clause 41C, to increase income limits of the real estate tax exemption provided therein, from \$13,000 to \$20,000, if single and from \$15,000 to \$30,000, if married; and further to increase the whole estate limits from \$28,000 to \$40,000, if single and from \$30,000 to \$55,000, if married; and to lower the age eligibility from 70 to 65; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Massachusetts General Law by local option allows the Town to increase the allowable limits for income and assets, and to lower the qualifying age for certain property tax exemptions. This local option acceptance article will increase the allowable gross annual receipts (all sources of income including earned income, social security, and pensions) to the maximum allowed under current law which is not more than \$20,000 for a qualifying single taxpayer and not more than \$30,000 for a qualifying married couple. The local option also increases the asset limit (exclusive of the home) for a single person to \$40,000 and to \$55,000 for a married couple. This article also seeks to reduce the qualifying age from 70 to 65. Many of the surrounding communities (Dedham, Natick, Newton, Wellesley, and Westwood) have increased these income and asset limits. A qualifying senior would be eligible for a property tax exemption of \$870. Should Town Meeting approve Article 23 this exemption may be as high as \$890 beginning July 1, 2009.

ARTICLE 14: ACCEPT PROVISIONS OF M.G.L., CHAPTER 59, SECTION 5 (41A)

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under M.G.L., Chapter 59, Section 5, Clause 41A from \$40,000 to 100% of the amount established annually by the Commissioner of Revenue under M.G.L., Chapter 62, Section 6(k) as income limit for single seniors who are not heads of households to qualify for the "circuit breaker" state income tax credit for the preceding state tax year, with such increases to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2009; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Chapter 182 section 14 of the Acts of 2008 allows the Town to increase the amount of gross receipts that seniors may have in order to qualify for a property tax deferral. Massachusetts General Law provides for qualifying seniors who are 65 years or older by July 1 to defer payment on all or part of their property tax liability by filing an application with the Board of Assessors.

This is not automatic. Qualifying seniors who wish to defer property taxes must file an application each year on or before December 15 or three months after the actual tax bill for the fiscal year has been mailed, whichever is later; for Needham this usually means March. Property taxes that were deferred prior to July 1, 2008 are charged interest at an annual rate of 8%; interest accrues at 4% on property taxes deferred after July 1, 2008. This interest rate reduction was approved by Town Meeting under Article 8 of the 2008 Annual Town Meeting. Under the present property tax deferral program, a qualifying senior may not have gross receipts in the previous calendar year of more than \$40,000. Adoption of this article will increase the annual gross receipts limit that an otherwise qualifying person may have in order to defer property taxes by the amount established under M.G.L., Chapter 62, Section 6(k) for the "Circuit Breaker" state income tax credit program. The Commissioner of Revenue annually adjusts the limits, based on changes in cost of living indices, and releases the revised amounts in the fall. The Commissioner's gross receipts limit for 2008 tax year is \$49,000. This would be the maximum gross receipts limit for property tax deferrals beginning in FY2010.

ARTICLE 15: ACCEPT M.G.L., CHAPTER 39, SECTION 23D - ADJUDICATORY HEARINGS/ATTENDANCE

To see if the Town will vote to accept the provisions of M.G.L., Chapter 39, Section 23D relative to adjudicatory hearings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Adoption of the provisions of this statute would allow a member of a Town board or committee holding an adjudicatory hearing to vote on a matter even if that member has missed one session of the hearing at which testimony or other evidence is received. The proposed process will provide relief for adjudicatory bodies, particularly given that the nature of some hearings requires a prolonged process, and that board and committee members have many competing obligations. A member who misses one meeting will still be able to participate in a vote on a particular matter, which will serve to prevent needless delay for petitioners.

ARTICLE 16: AMEND GENERAL BY-LAW - WETLANDS PROTECTION

To see if the Town will vote to amend the General By-laws by adopting the following changes to Article 6:

(1) In Section 6.2, delete the word **or** from the phrase

“(4) within 100 feet **or** any lake, river, pond, stream or estuary”

and replace it with the word **of**.

(2) In the second paragraph of Section 6.4, delete the lowercase **w** from the phrase

“wetlands Protection Act”

and replace it with a capital **W**

(3) In the fourth paragraph of Section 6.4, delete the last sentence which currently reads:

“The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency.”

and replace it with the following language:

The Commission may waive *or reduce* the filing fee and costs and expenses for an application or request filed by a government agency *or otherwise as the Commission may determine by its regulations.*

- (4) In the second paragraph of Section 6.5, delete the first sentence which currently reads:

“Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, by certified mail (return receipt requested) or hand delivery, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality.”

and replace it with the following language:

Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality. The applicant shall notify abutters in writing by hand delivery or certified mail, return receipt requested, *or by certificates of mailing. If written notification is made by hand-delivery, the applicant shall obtain signatures at the time of delivery acknowledging receipt of said notification.*

- (5) In the fourth paragraph of Section 6.5, delete the number **45** from the phrase:

“The Commission shall commence the public hearing within **45** days from receipt of a completed application”

and replace it with the number **21**.

- (6) In the fourth paragraph of Section 6.11, delete the first sentence which currently reads:

“Any person who violates any provision of this article, regulations thereunder or permits issued thereunder shall be punished by a fine in an amount to be established by the Commission under its wetland protection regulations.”

and replace it with the following language:

Any person who violates any provision of this article, regulations thereunder or permits issued thereunder *may* be punished by a fine *of not more than \$300 per offense.*

or take any other action relative thereto.

INSERTED BY: Conservation Commission

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article corrects several typographical errors in the Wetlands Protection by-law.

In addition, the amendment seeks to modify the filing fee provision to allow the Commission to reduce (not just waive) filing fees and to expand the pool of applicants for whom by-law filing fees may be reduced or waived. Under the proposed change, municipal projects will continue to be exempt from by-law filing fees (as specified in the by-law regulations).

The proposal would change abutter notification requirements to allow applicants to use "certificates of mailing" and to require that applicants who opt to hand deliver meeting notices obtain signatures from recipients. Revisions to the Massachusetts Wetlands Protection Regulations which came into effect in 2006 included a provision to allow applicants to use certificates of mailing as an alternative to certified mail. Given the considerable cost savings (approximately \$3.78 per parcel) the Commission supports this alternative. With respect to hand delivery of abutter notification letters, the Commission seeks to formalize the current practice of requesting that applicants seek some form of acknowledgement of receipt when notices are delivered by hand.

The proposal reduces the time period during which the Commission must open a public hearing from 45 days to 21 days (from receipt of a complete application) to be consistent with both the Massachusetts Wetlands Protection Act and the Commission's current practice.

Finally, the proposal modifies the fining provision in the by-law to be consistent with MGL Chapter 40: Section 21D. This statute limits fine amounts to \$300 per day, per violation. Additionally, the change includes the substitution of the word shall with the word may, thus making the fining provisions discretionary rather than mandatory.

COMMITTEE ARTICLES

ARTICLE 17: REPORT OF TOWN MEETING STUDY COMMITTEE

To see if the Town will vote to hear and act on the report of the Town Meeting Study Committee; or take any other action relative thereto.

INSERTED BY: Town Meeting Study Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article is inserted to hear the report of the Town Meeting Study Committee, which was created in 2007 to investigate ways of strengthening Needham's Representative Town Meeting. The Committee's recommendations include the proposed by-law amendments set forth in Articles 18 and 19. The Committee's full report is printed at the end of the warrant.

ARTICLE 18: ESTABLISHMENT OF PROCEDURES COMMITTEE OF TOWN MEETING, AND THE DEFINITION OF ITS DUTIES

To see if the Town will vote to amend Article 1 of its General By-laws by adding at the end thereof the following new Sections:

“SECTION 1.16. PROCEDURES COMMITTEE OF THE TOWN MEETING.”

1.16.1 There shall be a Procedures Committee of the Representative Town Meeting consisting of seven members who shall be appointed by the Moderator as provided herein. Each member so appointed shall be a member of said Town Meeting, elected to represent the voters of a precinct thereof, and shall not be an at-large member of such Town Meeting.

Each member of the Committee shall serve for a term of three years, or if it so occurs sooner, until the effective date of a new division of the Town into precincts required by the State Election laws. Of the members of the Committee originally appointed under this by-law, and of the members of the Committee first appointed following a re-division of the Town into new precincts as aforesaid, the Moderator shall designate two members to serve for a one year term, two members to serve for a two year term, and three members to serve for a three year term. If a member of the Committee shall cease to be a member of the Representative Town Meeting, he or she shall cease to be a member of the Committee; and the Moderator shall appoint another qualified member of the said Town Meeting to complete the term of the Committee member being replaced. Vacancies on the Committee may be filled at any time by a qualified appointee designated by the Moderator.

1.16.2

The Procedures Committee shall provide a continuing oversight of the business, conduct and procedures of the Town Meeting, and of the level of attendance thereat of Town Meeting Members, and other matters which pertain to Town Meeting. It shall make such recommendations in respect thereto to the Moderator and/or the Town Meeting as to ways and means of improving Town Meeting procedures, operations and attendance, as said Committee deems appropriate. The Committee shall review, and shall report to the Town Meeting its recommendations relative to all Warrant Articles proposing amendments to Article 1 of the General By-Laws, and all Articles proposing changes in Town Charter provisions pertaining to the membership, organization, procedures and committee structure of the Town Meeting.

1.16.3

The Moderator may assign to the Procedures Committee such tasks in relation to the conducting of the Town Meeting, as he or she deems helpful to the management of the Town Meeting, on his or her behalf, and under his or her direction.

1.16.4

With the approval of the Moderator, the Procedures Committee shall establish, and may from time to time amend, rules governing the orderly and responsible distribution of printed or duplicated materials to Town Meeting Members at sessions of the Town Meeting. Town agencies having an interest in, or responsibility for, warrant articles awaiting Town Meeting consideration shall provide their relevant reports or other materials pertaining to such Warrant articles to Town Meeting Members prior to the Town Meeting session which is to consider the same.

1.16.5

The Procedures Committee shall promote compliance by Town Meeting Members with the Code of Conduct set forth in Section 1.17; and it may, with the approval of the Moderator, initiate, and assist others in initiating, programs encouraging and better facilitating attendance by Town Meeting Members at sessions of the Town Meeting.

SECTION 1.17. TOWN MEETING MEMBER CODE OF CONDUCT

1.17.1

This Town Meeting Member Code of Conduct shall serve as a guideline by which Town Meeting Members shall maintain and strengthen the Town Meeting.

Town Meeting Members shall strive to be regular and prompt in the attendance at all sessions of the Annual and Special Town Meetings held during the terms of office for which they have been elected. They shall undertake to educate themselves regarding the form, conduct and administration of the government of the town, and the rules governing the conduct of Town Meeting. They shall seek to inform themselves to the greatest extent possible with respect to all issues that come before the Annual Town Meeting or Special Town Meetings.

Town Meeting Members shall conduct themselves in accordance with the rules established for the conduct of the Town Meeting, shall demonstrate fairness, courtesy, and respect for the opinions and positions of their fellow Town Meeting Members, and shall otherwise perform their duties and responsibilities in such a manner as to reflect credit upon the legislative and appropriating body of the town.;
or take any other action relative thereto.

INSERTED BY: Town Meeting Study Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article, submitted by the Town Meeting Study Committee, would amend the Town by-laws by creating a Town Meeting Procedures Committee and establishing a Town Meeting Member Code of Conduct.

The Procedures Committee would consist of seven members appointed by the Moderator from the elected precinct representatives, and would have a range of authorities, including:

- *Continuing oversight of Town Meeting business, procedures and attendance,*
- *Making recommendations for improvement of Town Meeting operations,*
- *Making recommendations on all articles affecting the organization and procedures of Town Meeting,*
- *Rulemaking regarding distribution of materials to members at Town Meeting,*
- *Promotion of compliance with the Code of Conduct, and*
- *Additional related responsibilities assigned by the Moderator.*

The proposed Code of Conduct would establish guidelines to encourage attendance, courtesy, and attention to their responsibilities by all members of the Town Meeting.

The Study Committee reports that similar measures are in place in other communities. The Study Committee's complete report is printed in the warrant.

ARTICLE 19: VOTES AND RESOLUTIONS OF TOWN MEETING

To see if the Town will vote to amend Section 1.4 of Article 1 of the General By-Laws as follows:

1. By revising the title caption of said Section 1.4, which now reads "SECTION 1.4 VOTES" to read "SECTION 1.4 VOTES AND RESOLUTIONS; and
2. By adding at the end of said Section 1.4 the following paragraphs:
 - 1.4.4 No resolution other than a motion to dissolve the Town Meeting or to honor a decedent or a current or a former inhabitant of the Town for his or her services to humanity, the United States, the Commonwealth, or the Town, may be adopted by the Town Meeting, except pursuant to a Warrant Article published in the Warrant for that Town Meeting, which notifies the inhabitants of the Town that such a resolution and its subject matter is to be discussed at that Town Meeting.
 - 1.4.5 Motions offered under the concluding "Omnibus Article", so called, of a Town Meeting Warrant, must be germane to the subject matter of an Article or Articles previously set forth in that Warrant, or to subjects expressly identified in the writing of the "Omnibus Article" itself;

or take any other action relative thereto.

INSERTED BY: Town Meeting Study Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article provides for a by-law amendment to narrow the permissible uses of the Omnibus Article, which is traditionally the last article in Needham's Town Meeting warrant. The form of omnibus article used in Needham is broadly written to allow action on any "matters which may properly come before the meeting." The Omnibus has been most commonly used for technical corrections, unforeseen issues arising during the course of the meeting, and memorial resolutions. There have, however, been instances of perceived abuse, such as motions to adopt resolutions on substantive matters without fair public notice in the warrant. Article 19 would limit the scope of the Omnibus, other than honorary and memorial resolutions, to matters specifically set forth in the warrant.

CITIZENS' PETITIONS

ARTICLE 20: CITIZENS PETITION - QUIET ZONE STUDY

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money not to exceed \$12,000 for the purpose of engaging a consultant qualified in the field of railroad safety to study and prepare a report with recommendations to the Town as to measures that could be taken to increase the safety of commuter railroad grade crossings in Needham so as to be able to reduce noise from railroad horns, and to direct the Transportation Committee established under General By-law Section 2.7.1. to engage said consultant and to present said report and recommendations to the next Annual Town Meeting, or take any action relative thereto.

INSERTED BY: Jeanne McKnight et. al.

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The petitioners request \$12,000 to fund a study to recommend necessary grade crossing improvements for implementation of a railroad horn "Quiet Zone" along the commuter rail line between Needham Junction and Needham Heights. The Town's Transportation Committee has previously estimated that the cost to the Town of actually implementing the program in compliance with Federal regulations would exceed \$1 million.

ARTICLE 21: CITIZENS PETITION - NATURAL RESOURCES COMMITTEE

To see if the town will vote to create a committee to review the Town's natural resources, such as water (water quality, water quantity and groundwater recharge), vegetation (trees, shrubs and herbaceous plants as well as invasive species), wildlife and wildlife habitat.

The committee would consider the protection and maintenance of these natural resources, and would also compare how other towns inventory, protect and maintain their natural resources. The committee would make recommendations based on its review.

The committee would be composed of 4 members appointed by the Town Moderator with an appointee made by the Park and Recreation Commission, the Conservation Commission, and the Board of

Selectmen for a total of 7 members. and would report to Town Meeting at the next Annual meeting. The sum of \$400 is requested for creating and disseminating a survey and a report.

INSERTED BY: Susan Abbott et. al.

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article would create a seven member committee to study Needham's natural resources, including comparisons with environmental conditions and practices in other communities, and report its findings and recommendations to the 2010 Annual Town Meeting. Four members would be appointed by the Moderator, and one each by the Board of Selectmen, Park and Recreation Commission, and Conservation Commission, and the article requests an appropriation of \$400 for the use of said committee.

FINANCE ARTICLES

ARTICLE 22: TRANSFER OF BUDGETARY FUND BALANCE

To see if the Town will vote to transfer \$3,145,416 from the Budgetary Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in its computation of the tax rate for the fiscal year 2010; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Budgetary fund balance (free cash) is the result of unexpended appropriations and revenue in excess of estimates from fiscal year 2008.

ARTICLE 23: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986

To see if the Town will vote to accept, for fiscal year 2010, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 78% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair

cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2009 the cumulative increase above the statutory limit was 74%.

ARTICLE 24: APPROPRIATE FOR SENIOR CORPS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$10,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid approximately \$800, which is applied to their property tax bill. Eligible individuals are entitled to one payment per fiscal year.

ARTICLE 25: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate a sum for the purpose of funding the Needham Property Tax Assistance program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The intention of the Board of Selectmen is to set a target annual appropriation level for the proposed Needham Property Tax Assistance program equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of amount of \$25,000 (2008 dollars). The voluntary fund has been receiving contributions of approximately \$15,000 per year.

ARTICLE 26: APPROPRIATE FOR COMPENSATED ABSENCES FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the purpose of funding compensated absences provided by personnel policy or collective bargaining agreement, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to fund the Town's employee sick leave and, in some cases, vacation liability. Upon retirement, certain employees are compensated for a portion of their unused sick leave. All employees are entitled to payment of unused vacation leave upon termination of Town service.

ARTICLE 27: APPROPRIATE TO COUNCIL ON AGING TRUST FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Council on Aging Trust Fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The purpose of this article is to restore the Council on Aging Trust Fund by the amount spent to develop the feasibility study for the Senior Center at Ridge Hill project.

ARTICLE 28: APPROPRIATE THE FY2010 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$25,000, from the Overlay Surplus in the amount of \$500,000, and from amounts reserved for debt exclusion offsets in the amount of \$390,110; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted as shown on pages 12 - 16.

ARTICLE 29: APPROPRIATE THE FY2010 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Personnel	\$ 504,643	8.4	\$ 622,755	9.4	\$ 641,561	9.4	
101B	Expenses	\$ 1,220,633		\$ 1,107,045		\$ 1,118,567		
101C	Operating Capital	\$ 53,085		\$ 58,000		\$ 58,000		
101D	Debt Service	\$ 138,581		\$ 150,000		\$ 150,000		
102	Reserve Fund	Transfers Only		\$ 45,000		\$ 45,000		
TOTAL		\$ 1,916,942	8.4	\$ 1,982,800	9.4	\$ 2,013,128	9.4	
FY 2010 Budget Percentage Change from FY 2009 Budget								1.5%

and that \$535,681 be raised from the tax levy and transferred to the RTS Enterprise Fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This is the budget article to fund and operate the Town's Recycling Center and Transfer Station (RTS). The operating budget for FY2010 is \$30,328 or 1.5% higher than the FY2009 budget. The change is attributable to an \$18,806 increase in personnel related cost (3%), an \$11,522 increase in non-personnel related costs (1%), and no increase in operating capital, debt service or the reserve fund.

RTS processed and disposed of 7,678 tons of municipal solid waste (MSW/Trash) for incineration at the Wheelabrator waste to energy plant in Millbury, Massachusetts during FY2008. During FY2008 the RTS diverted 392 tons of wood waste material which was used to produce electricity at a wood burning power plant and removed 5,280 tons of materials through the various recycling programs.

During FY2008 the RTS processed 9,179 tons of yard waste material in the yard waste and composting area. The RTS also processed 5,343 tons of public works waste in the materials processing area, which is related to the general fund contribution to this budget. Had the Town not disposed of the materials through the RTS operation, the cost to use private contractors to process this waste would have been higher.

The increase in salary and wages is contractual. The Town has a collective bargaining agreement in place until June 30, 2010. The increase in the expense line is attributable mostly to the Pay Per Throw Bags (\$3,845) and vehicular supplies (\$6,247); the balance of the increase is related to other energy related costs for the operation of the RTS center. The \$58,000 line for capital reflects the annual purchase of containers and transfer trailers. The Town began accounting for these costs through the operating budget in FY2008, rather than through a special financial warrant article. The ongoing and annual nature of these expenditures falls into the operational category. Debt service is level funded at \$150,000 and supports the debt capacity requirements to continue the current RTS operations. The reserve fund is level dollar as well for FY2010. The RTS also reimburses the general fund for costs incurred and paid by the general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The RTS budget is funded through a combination of property tax revenue and user fees.

ARTICLE 30: APPROPRIATE THE FY2010 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Personnel	\$ 539,721	9.2	\$ 591,719	9.2	\$ 599,718	9.2	
201B	Expenses	\$ 242,266		\$ 261,234		\$ 267,547		
201C	Capital Outlay	\$ 59,911		\$ 25,000		\$ 39,000		
201D	MWRA Assessment	\$ 4,911,005		\$ 4,969,440		\$ 5,095,980		
201E	Debt Service	\$ 1,105,764		\$ 1,175,000		\$ 1,200,000		
202	Reserve Fund	Transfers Only		\$ 35,000		\$ 35,000		
TOTAL		\$ 6,858,667	9.2	\$ 7,057,393	9.2	\$ 7,237,245	9.2	
FY 2010 Budget Percentage Change from FY 2009 Budget								2.5%

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This is the budget article to fund and operate the Town's sanitary sewer system. The operating budget for FY2010 is \$179,852 or 2.5% higher than the FY2009 budget. The salary and wage line shows an increase of only \$7,999 or 1.4% but this is due to personnel changes between the water and sewer operations. There is a corresponding increase in the Water Enterprise Fund budget. The expense line is up \$6,313 or 2.4%, which is related to energy costs. The MWRA assessment is up \$126,540 or 2.5% higher than the FY2009 budget which reflects a 4.1% increase over the final assessment for FY2009. This increase, however, is lower than the overall average increase of 7.5% that the MWRA assessed to member communities for FY2010. The smaller increase for Needham is partially attributable to the investment that the Town makes to remove Infiltration and Inflows(I/I) into the Town's sewer system. Infiltration results from cracks and breaks in sewer lines which allows ground water to seep into the system and increases the amount of volume that is processed by the MWRA. Inflow is sewerage and water entering the system from pipes and illegal hookups into the system. Many communities invest in removing I/I from their systems, and those communities that keep ahead of the others help contain (transfer) the cost of the annual assessment to other member communities. The final assessment from the MWRA will be affected by the amount of sewer rate relief that is provided to the Authority by the State, which will not be known until after the budget is voted by the Legislature and approved by the Governor. The increase in debt service is based on approved projects, and is in keeping with the overall sewer capital infrastructure funding plan for long term investments. The annual debt service for sewer is based on an average of \$1.2 million per year. The Sewer Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Sewer Enterprise Fund budget is a self-supporting account. Sewer user fees and charges cover the entire cost of operations.

ARTICLE 31: APPROPRIATE THE FY2010 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

2009 Annual Town Meeting

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Personnel	\$ 841,930	14.5	\$ 934,578	14.5	\$ 1,001,824	14.5	
301B	Expenses	\$ 936,421		\$ 970,767		\$ 1,068,621		
301C	Capital Outlay	\$ 20,000		\$ 20,000		\$ 20,000		
301D	MWRA Assessment	\$ 958,624		\$ 1,075,204		\$ 427,396		
301E	Debt Service	\$ 1,286,216		\$ 1,350,000		\$ 1,500,000		
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000		
TOTAL		\$ 4,043,191	14.5	\$ 4,425,549	14.5	\$ 4,092,841	14.5	
FY 2010 Budget Percentage Change from FY 2009 Budget								-7.5%

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This is the budget article to fund and operate the Town's water system. The operating budget for FY2010 is \$332,708 or 7.5% lower than the FY2009 budget. This reduction is due to an approximate 60% decrease in the MWRA water assessment. The MWRA bills the Town for actual water consumption in the calendar year preceding the new fiscal year; the FY2010 water assessment is based on the CY2008 water use. The preliminary water assessment for FY2010 is \$647,808 lower than the FY2009 budget. The final assessment from the MWRA is not expected until the end of the State Budget process. The decrease in billable consumption is mostly attributable to less water being purchased from the MWRA because the Town's wells were able to meet the daily demands more often, which may be due to the wetter spring/summer that reduced the peak demand for water use because not as much outside irrigation was occurring at the same time. The salary and wage line shows an increase of \$67,246 or 7.2% over the FY2009 budget, this is due to both personnel changes between the water and the sewer operations, and an increase in after hours work. The combined salary and wage appropriation for the two enterprise funds is \$75,245 or 4.9% over FY2009. The water enterprise expenses are 10% higher or \$97,854 more than FY2009. More than 80% of the increase in the expense line is related to significant price increases and quantity requirements for essential water treatment chemicals: Sodium Hypochlorite (23%); Sodium Hydroxide (46%); Potassium Permanganate (21%); Hydrofluosilicic Acid (37%); and Phosphate (200%). Other increases include energy costs to operate the plant.

The increase in debt service is based on approved projects, and is in keeping with the overall water capital infrastructure funding plan for long term investments. The annual debt service for water is based on an average of \$1.5 million per year. Operating capital is level at \$20,000 for FY2010, and the reserve fund is level as well. The Water Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Water Enterprise Fund budget is a self-supporting account. Water user fees and charges cover the entire cost of operations.

ARTICLE 32: CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L., Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2009:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY2010 Budget
School Busing	School Committee	Fee Based Busing Program Receipts	Transportation of students to and from School	\$625,000
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000
Human Rights Committee Invest. Account	Town Manager	MCAD	Costs related to the Investigation of MCAD Complaints	\$2,000
Senior Center Activities	Council on Aging Director	Program Receipts	Costs related to social programs for elderly	\$1,000
Youth Services Activities	Youth Commission Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving

fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.

ARTICLE 33: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Highway Department is allowed to distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY2010 award amounts had not been released.

ARTICLE 34: ACCEPT FEDERAL AND STATE STIMULUS GRANTS

To see if the Town will vote to raise and/or transfer and appropriate a sum or sums to match or accept federal and /or state stimulus grant monies and /or to authorize the Board of Selectmen or other appropriate local official to accept and expend such funds received, provided or to be provided by the Federal or State government; that the Board of Selectmen or other appropriate local official is authorized to enter into regulatory agreements associated with the stimulus funds with the applicable Federal and/or State agencies; and that the Board of Selectmen or other appropriate local official is authorized to expend all funds available, or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: At the time the Board of Selectmen called for articles for the 2009 Annual Town Meeting warrant, actions were underway in Washington D.C. to appropriate monies for State and local projects that could stimulate the nation's economy. The Commonwealth of Massachusetts requested cities and towns to submit lists of projects that are deemed "shovel ready" so that the State could prioritize the projects should monies become available. There have also been discussions at the Federal level to provide "stop gap" funding to offset drops in state and local revenues to lessen the impact of the loss of certain programs and to provide for other funding measures. It is likely that any such funds made available to the Town would be temporary, and therefore should be considered nonrecurring revenue and be used in such a manner. The intent of this article is to ensure that the Town can receive and expend monies that may be made available to fund local projects and activities. At the time of the printing of the warrant, the Town has not been made aware of any specific funding.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 35: APPROPRIATE FOR CPA PROJECT - TOWN HALL HISTORIC PRESERVATION

To see if the Town will vote to raise and/or transfer and appropriate \$18,155,746 for architectural design and engineering for the construction, and/or renovation of Town Hall, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,099,120 is raised from Community Preservation Receipts, that \$882,460 be transferred from the Community Preservation Historic Reserve, that \$1,121,500 be transferred from the FY2009 Community Preservation General Reserve, that \$3,726,153 be transferred from CPA Free Cash, that \$10,062 be transferred from Article 47 of the May, 2006 Annual Town Meeting and that \$16,451 be transferred from Article 18 of the 2001 Annual Town Meeting; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$7,200,000 under M.G.L., Chapter 44B, as it may hereafter be amended and to borrow \$4,100,000 under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee and Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: At the May 2008 Annual Town Meeting, \$1,000,000 was appropriated from CPA funds to design the renovation of Town Hall. The October 27, 2008 Town Meeting voted to approve the concept of renovating and expanding the Town Hall including the construction of an addition along the full length of the rear exterior wall and the restoration of the second floor hall. This article requests the appropriation for preservation, renovation and construction within the existing building and an adjacent addition. The request is for approximately 80% funding from CPA in a combination of bonds and cash appropriation. The remaining funds, primarily for the new building, will be funded through the general fund borrowing.

ARTICLE 36: APPROPRIATE FOR CPA PROJECT – AFFORDABLE HOUSING CONSULTING ASSISTANCE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for consulting assistance to support the development of affordable housing, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The requested funds would be utilized for the services of a housing consultant or consultants. The housing consultant(s) would assist the Town in formulating substantive and procedural requirements for reviewing applications submitted to the Town for comprehensive permits under Chapter 40B, a goal set forth in the Town's Affordable Housing Plan. The consultant(s) would also be able to provide technical or legal assistance as needed by the Town Manager and other departments.

**ARTICLE 37: APPROPRIATE FOR CPA PROJECT – DESIGN FUNDS FOR
ALL-PERSON'S TRAIL AROUND NEEDHAM RESERVOIR**

To see if the Town will vote to raise and/or transfer and appropriate \$55,000 for engineering, design and permitting for the construction of an all-person's trail around the Needham Reservoir, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or to take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Funds are sought for the design of an all-person trail around the Reservoir that will preserve the sensitive wetland system that surrounds the Reservoir. Pedestrians need to be kept to a well-defined area in order to protect the functions and values of this property, including storm damage prevention, pollution prevention, and protection of a wildlife habitat.

**ARTICLE 38: APPROPRIATE FOR CPA PROJECT – ADDITIONAL EASEMENT
RESEARCH TO COMPLEMENT MASTER PLAN FOR TRAILS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for additional easement research to complement the Master Plan for Trails, to be spent under the direction of the Town Manager and raised from Community Preservation Receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: As the Trails Comprehensive Master Plan was developed, it was evident that much of the legal information related to easements was not readily available. This project would identify and collect information from deeds to clarify easements related to existing trails, and allow for exploration of appropriate development of future easements to access public trails and open space.

**ARTICLE 39: APPROPRIATE FOR CPA PROJECT – WINDOWS/ENERGY
IMPROVEMENTS FOR SIX 40B HOUSING UNITS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for windows and energy improvements for six 40B housing units, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Under this proposal, Charles River ARC would replace 26 windows and 4 doors with energy efficient models in an early 1900's Victorian group home for six adults with developmental disabilities. This funding would assist the preservation of low income housing.

ARTICLE 40: APPROPRIATE FOR CPA PROJECT – HIGH ROCK HOMES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$370,000 for the High Rock Homes project, to be spent under the direction of the Town Manager, said sum be transferred from the Community Preservation Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Four of the remaining homes that are for sale are listed at a price affordable to those who earn 110% of the area medium income (AMI.) In combination with a second source of funds, this appropriation would allow the price of these four homes to be reduced to a rate affordable to those who earn 80% of the AMI, and permit the Town to include these homes on the inventory of subsidized housing in Needham.

**ARTICLE 41: APPROPRIATE FOR CPA PROJECT – TRANSFER OF FUNDS TO
CONSERVATION FUND FOR FUTURE OPEN SPACE PURCHASES**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for deposit to the Conservation Fund to be used to purchase land, conservation restrictions, easements, or other contractual rights or to undertake other responsibilities defined in M.G.L., Chapter 40, Section 8C, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The enabling legislation governing the establishment of Conservation Commissions allows for the establishment of a Conservation Fund. The Town of Needham established a Conservation Fund in 1963 and made annual appropriations to this fund over the course of several years. Funds allocated to the Conservation Fund may be used to purchase land, conservation restrictions, easements or other contractual rights (by option, purchase, lease or fee) or to undertake other responsibilities defined in the statute. The balance in the fund is approximately \$200,000. Proceeds from the fund were most recently used to cover yearly expenses related to the purchase of the Wiswall property adjacent to Ridge Hill. Proceeds in the fund are readily accessible and will allow the Commission to react quickly to open space and land management opportunities. This appropriation would bring the fund to \$250,000, meeting the goal of the Conservation Commission.

**ARTICLE 42: APPROPRIATE FOR CPA PROJECT – PRESERVATION OF OPEN SPACE
PURCHASE OF LAND**

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift, or otherwise a parcel of land or easement, including restrictions thereon, that said land be conveyed to the Town of Needham under the provisions of M.G.L., Chapter 44B, as it may hereafter be amended; said land to be under the care, custody, management and control of the Board of Selectmen and held for one or more of the purposes authorized under the Community Preservation Act:

- a. Acquisition, creation, and preservation of open space;
- b. Acquisition, creation, and preservation of land for recreational use; and/or

- c. Rehabilitation or restoration of open space or land for recreational use that is acquired or created as provided by said Chapter 44B;

and that prior to committing any portion of the property to any of the uses specified above, areas of the property designated for specific uses must be clearly identified and delineated by subsequent votes of Town Meeting; and that to fund said purchase, including all costs incidental and related thereto, to appropriate a sum to be spent under the direction of the Town Manager; and to meet this appropriation that a sum be transferred from the Open Space Reserve and that a sum be raised from FY2010 Community Preservation Receipts; and to authorize the Board of Selectmen/Town Manager to acquire conservation restrictions or other such perpetual restrictions, and approve use restrictions, as may be permitted pursuant to the Community Preservation Act, on all or any portion of said parcels; to seek, receive and accept grants, donations or reimbursements for this purpose, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Needham to effect said purchase; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Park and Recreation Commission has been in discussions with a landowner adjacent to an existing trail system. The purchase of a portion of the land or the creation of an easement would allow the existing trail to continue through this private parcel. At the time of the printing of the warrant, negotiations relative to the purchase of this parcel were not complete.

ARTICLE 43: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate \$529,880 pursuant to M.G.L., Chapter 44B from the estimated FY2010 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee	\$ 82,000
B. Debt Service	\$ 0

Reserves:

C. Community Preservation Fund Annual Reserve	\$ 83,880
D. Community Housing Reserve	\$182,000
E. Historic Resources Reserve	\$ 0
F. Open Space Reserve	\$182,000

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This is the fifth year that Town Meeting is being asked to address the Community Preservation Fund and the vote on this article will reflect the decisions made on the previous eight articles. Town Meeting and the voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis

from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation, and open space. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee.

CAPITAL ARTICLES

ARTICLE 44: RESCIND DEBT AUTHORIZATIONS

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
Mitchell School Roof Replacement	11/1/2006 STM	12	\$700,000	\$78,600
Ambulance & EMS Reporting System	5/5/2008 ATM	37	\$205,000	<u>\$21,400</u>
Total				\$100,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: When a project is financed by borrowing, the project has been completed, and all the bills have been paid, the balance of the authorization that was not borrowed can be rescinded. A Town Meeting vote to rescind the balance of a borrowing prevents any further borrowing for the project.

ARTICLE 45: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$2,177,726 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and raised from the tax levy; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Community Service	Memorial Park Fencing & Bleachers	\$64,120	
Community Service	Library Collection Supplement	\$25,000	
Community Service	Cricket Field Building Repairs	\$75,000	
Community Service	Memorial Park Perimeter Fencing	\$49,300	
General Government	Network Servers, Switches & Printers	\$25,000	
General Government	Intel-Based Servers Redundancy	\$130,000	
Public Facilities	DPF Core Fleet Replacement	\$55,452	
Public Facilities	Facilities Maintenance Program	\$450,000	
Public Safety	Shift Commander Vehicle Replacement/C-2	\$35,000	
Public Schools	School Copier Replacement	\$87,012	
Public Schools	School Furniture & Equipment Replacement	\$45,100	
Public Schools	School Technology Equipment	\$305,450	
Public Schools	Hillside School Replacement Doors	\$81,600	
Public Schools	Pollard School Parking Feasibility Study	\$75,000	
Public Schools	Technology/Infrastructure Study Hillside Mitchell	\$50,000	
Public Works	DPW Core Fleet	\$277,742	
Public Works	Snow & Ice Equipment	\$288,000	
Public Works	DPW Small Specialty Equipment	\$59,000	
Total Appropriation		\$2,177,776	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting, but it is anticipated that the "Total Amount" will be substantially less than in the printed warrant.

Article Information: All General Fund cash capital items are included as one article. This methodology allows Town Meeting to view general fund cash capital in its entirety as a considered and thoughtful recommendation on the part of the boards and committees, rather than as a series of independent articles. This approach will still allow for amendment of each line item. Capital proposed for funding by debt will continue to be presented as a separate article, in that debt authorizations require a 2/3 vote of Town Meeting. A description of each request follows.

Memorial Park Fencing/Bleachers Additional improvements and security measures are needed to complete the Memorial Park Reconstruction project. The bleachers are 1948 vintage. The bleachers and player benches are constructed of wood and steel and require significant annual maintenance. The crowd control fencing is needed for security and safety of the public for large events. Alternative funding sources, including donations, may be available to fund this item. The project would include bleachers with seating for 500 spectators, (\$14,300), transportable seating (\$25,830), transport wheel kit (\$690), player benches (\$4,800), and portable crowd control fencing (\$18,500).

Library Collection Supplement The Library's materials budget is inadequate for the current level of circulation. As a result of increased circulation patterns, a high level of demand is placed on the Library's collection of various materials. The increased demand wears the items out at a faster rate than would normally be the case. The current materials budget is not sufficient to encompass any large-scale purchase of replacement materials. Since the new Library opened in March, 2006, circulation has

increased significantly. One-half of the requested funding will be used for children's materials.

Cricket Building Repairs The Cricket Field Park and building are used throughout the year for Park and Recreation summer programs, High School girl's soccer and lacrosse, general playground use, and year-round storage. The Park and Recreation Department is working with the Public Facilities Department to develop a phased process of completing the needed upgrades for the facility. Work is needed in order to keep the building in usable condition, to provide access to the site for persons with disabilities, to create a more efficient storage system, and to enable the Department to use the facility to hold programs. The requested funding would be for design of the proposed improvements.

Memorial Park Perimeter Fencing The existing wooden guardrails at the top of the hill and in the parking lot are in need of replacement. The wood rail requires constant maintenance and the guardrail does not provide adequate security for events, and the chain link fencing near Pickering Street is in disrepair and needs to be replaced. The proposal includes 610 linear feet of four-foot black chain link fencing with openings at the top of hill (\$24,400), 260 linear feet of four-foot black chain link fencing with openings in the parking lot (\$10,400), 210 linear feet of six-foot black chain link fencing near Pickering Street extension side (\$9,500), and removal of old fencing (\$5,000).

Network Servers, Switches, Printers & Desktops The town-wide network requires many switches and hubs to allow for full access by all departments from various locations. These electronic/fiber devices are located in all Town buildings and do not last indefinitely. When they do fail, access for that department or building is interrupted. This access includes email, internet, file servers, and financial applications located on the IBM AS/400, as well as communication links for all public safety and school buildings. New application servers and the software required to run them are also a major component of the network and must be included in routine updates. Also part of the town-wide network are network printers that are used by multiple departments and desktop computers that are used for daily office functions. Daily use of network printers has increased significantly due to a policy of not replacing desktop printers when they fail. Network printers are also used by the financial application (HTE) to print reports, invoices, and checks. The recommendation is lower than in previous years, because this will be presented as an annual funding request rather than a higher sporadic request.

Intel Based Servers Redundancy Currently the Information Technology Center (ITC) does not have the equipment or resources to support a disaster recovery/redundancy plan for the non-IBM servers in the event of a catastrophic event that leaves the Town Hall unusable. Events such as fire, flood, and other natural or man-made occurrences which could cause long term loss of use of the Town Hall or damage to the non-IBM servers would seriously hamper the Town's ability to operate at a basic level. The disaster recovery/redundancy model for the non-IBM servers would allow the data to be housed at a separate location, supported by a generator.

Public Facilities Core Fleet This request is for the replacement of one vehicle and the purchase of one additional vehicle. The vehicle to be replaced is a 1998 Ford E250 cargo van equipped with a tradesman interior package for primary use by the Town's plumber. The current vehicle has an odometer reading of over 122,000 miles and is due for replacement as it is beyond industry standards for vehicle replacement schedules. The additional vehicle requested is a Ford Escape for the Director of Facility Operations.

Facilities Maintenance Program This project allows for on-going building maintenance efforts, including, but not limited to flooring, painting, ductwork cleaning, and window replacement. With respect to flooring, the program allows for the replacement of worn, damaged, unsafe, and unsightly floor surfaces. In addition, it provides for the removal of asbestos containing floor tile and allows for its replacement with vinyl composition floor tile in classrooms and carpeting in offices. Unless

circumstances require otherwise, the FY2010 funding is intended for Mitchell School classrooms and the Police Station.

This project also allows for the systematic painting of interior and exterior spaces for schools and town buildings in a process that is prioritized based on condition. Unless circumstances require otherwise, the painting program for FY2010 will address the exterior of the Emery Grover building and the painting of various interior spaces at the Pollard Middle School, Newman School, Hillside School, and the Broadmeadow School.

A new addition to the on-going maintenance program is the cleaning of duct work that is part of HV/AC systems throughout the schools and municipal buildings. This program will operate on a rotating basis which will allow each duct system throughout the schools and municipal buildings to be cleaned every 5 to 6 years. Unless circumstances require otherwise, the duct cleaning program for FY2010 will include the Pollard School and the Mitchell School.

Another new component of the plan is the replacement of single pane windows with double pane windows at the Mitchell and Hillside Schools. This effort will help the Town lower its energy consumption at these facilities.

Shift Commander Vehicle/C-2 *This request is for the replacement of a 2003 Ford Expedition used daily by the shift commander. The vehicle will have 60,000 to 70,000 miles at the time of replacement. The vehicle is a front-line emergency response vehicle and carries emergency supplies, technology, and information to support many types of incidents. In the past, such vehicles were "handed down" to the Inspection Division after their front line use of five years. Several years ago the Town changed this policy, purchasing passenger vehicles more suited to inspectional work, as the re-used SUV's were very expensive in terms of fuel economy and maintenance. This 2003 vehicle is expected to be sold at auction.*

School Copier Replacement *In 2003 the Town established a replacement cycle for school photocopiers. School photocopiers are located in all of the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently, the School Department owns 45 copiers and 6 RISO machines. Since FY2005, funds allocated by Town Meeting have replaced approximately five copiers per year on average, or 14 total copiers. Based on the lifecycle replacement methodology used to project copier replacements, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity, seven copiers are due for replacement in FY2010, at a total cost of \$87,012.*

School Furniture And Musical Equipment Replacement *In FY2005, the Town established an on-going program to replace school furniture and musical equipment at Hillside, Mitchell, Newman and Pollard Schools (all of which are school facilities not scheduled to undergo capital renovation/addition projects in the near future.) In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. The FY2010 request is for \$30,100 based on a summer 2008 inventory and condition analysis of the overall furniture stock at these four schools, following several years of replacement. This analysis revealed that of the 8,032 items presently located at these schools, 14% (or 1,094 items) remain in poor or poor/fair condition, and are in immediate need of replacement. If funded, the FY2010-2014 request would complete the replacement of all items currently identified as 'poor' plus some items of poor/fair condition from the 'fair' category. Unless circumstances require otherwise, The FY2010 funding request is targeted for the Hillside school.*

Currently, the School Fine and Performing Arts Department has numerous musical instruments that are 30+ years old and are in need of replacement. The School Department owns a large number of

instruments, including pianos, string instruments, brass instruments, woodwind and percussion instruments that, after many years of use, are no longer usable or repairable. Students do purchase more common, less expensive instruments such as clarinets, trumpets and flutes, but a quality band and/or orchestra program must supply large, more expensive instruments to ensure balanced instrumentation. Based on a recent inventory and condition analysis of school musical instruments, approximately 17% of the total stock remains in poor condition, with an additional 14% in fair condition. The FY2010-2014 request of \$15,000 per year is intended to replace approximately 74% of the instruments currently identified as 'poor' and approximately 6% of the instruments currently identified as 'fair.' Unless circumstances require otherwise, the FY2010 request of \$15,000 is intended to replace two upright pianos, two cellos and a bass violin at Needham High School.

School District Technology Upgrade And Replacement This request would fund the replacement of school technology, including instructional computers, administrative computers, printers, and network servers. Additionally, funds are requested to install SMART boards at the Pollard Middle School. The five-year plan is based on replacing Broadmeadow technology over four years beginning in FY2009; replacing Eliot technology over three years, beginning in FY2010; replacing High School technology over five years beginning in FY2012; maintaining a seven year replacement cycle for all other instructional computers; maintaining a five year replacement cycle for administrative computers, as needed; maintaining current inventory quantities, with adjustments for programmatic needs; replacing and recycling data servers in year four; and replacing printers, with a new deployment model for shared laser printing and eliminating inkjet printing over the next five years. The five-year plan incorporates estimated reductions in future years for Pollard and NHS, based on enrollment at Pollard and the introduction of student-owned laptops or wireless devices at the High School. The FY2010 funding would provide \$215,450 to replace 206 instructional computers at Broadmeadow, Eliot, Hillside, Mitchell, Newman, and Pollard; 17 administrative computers; 22 instructional printers; seven administrative printers and five network hardware servers. The additional amount is to furnish SMART boards for the Pollard Middle School.

Hillside School Exterior Door Repair The project will provide for the replacement of twelve (12) doors that still remain from the original building construction, which have outlived their projected duration and should be replaced both for safety and energy conservation purposes. These doors will cost \$6,800 per door to replace.

Pollard Middle School Parking Study This project would fund a parking lot evaluation feasibility study. This study will help the Town evaluate the current parking situation and develop possible solutions to bridge the gap between the 77 parking spaces at the Pollard School and 130 employees who work there. This study will examine all areas surrounding the Pollard Middle School including the existing faculty parking lot, the front drop-off area and bus loop, the rear parking lot, the area behind the school, and neighboring roadways. Parking improvements will be needed to address clogging of neighboring streets, access for emergency vehicles, insufficient driveway length for bus loading and unloading, and both safety and convenience issues for staff, parents, and the general public which may be created by the lack of available parking spaces.

Technology & Electrical Infrastructure Study/Hillside & Mitchell Schools The Facilities Master Plan anticipates renovation of the Hillside and Mitchell schools no sooner than 2018 to bring these facilities to a level of modernization comparable to that of the Eliot and Broadmeadow schools. It would normally be at the time of major renovation that electrical and technology infrastructure would be upgraded. The School Department has identified a current need to expand the technological capabilities of these schools to meet students' needs over the ten-year interim period prior to full renovation. Analysis is also needed to ensure that the capacity of the electrical system is sufficient, regardless of the introduction of new technology. This request would fund technology and electrical infrastructure studies at both schools to

assess electrical capacity and distribution; current and future data cabling needs, including wireless; classroom layouts with built-in technology benches; and audio-visual enhancements for classroom projection of video and data.

Public Works Core Fleet Replacement The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#2	Garage	2005	Pickup Truck	47,461	\$23,000
#70	Parks	1996	One Ton Dump Truck	63,981	\$59,871
#71	Parks	1996	One Ton Dump Truck	73,658	\$59,871
#10	Highway	1994	Six Wheel Dump Truck	43,315	\$135,000

Snow & Ice Equipment This program provides funding to purchase new and replace existing snow and ice equipment. This equipment is critical for the efficient operation of the snow and ice program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in 2010 are as follows:

Unit	Division	Year	Description	Miles	Cost
#10A	Highway	1989	Material Spreader	n/a	\$ 28,000
#108	Highway	1989	Sidewalk tractor (Wheel w/blower)	n/a	\$125,000
#206	Highway	1980	Snow Blower (Loader-mounted)	n/a	\$135,000

Small Specialty Equipment This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Parks and Forestry Division's maintenance programs. The trailers are used to transport various pieces of equipment to worksites throughout the Town. Presently, no tractor has the needed hydraulics for the new artificial turf grooming equipment and the 1976 tractor is at the end of its useful life. The tractor is a multi-use piece of equipment. With the proper hydraulic system and attachments, the new tractor can operate the new grooming equipment, mow more efficiently the fields at Ridge Hill; be used for brush control and be used for the many field renovation activities. Unless circumstances require otherwise, the vehicles and equipment scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#350	Parks	1976	Farm Tractor	n/a	\$40,000
#321	Parks	2003	14' Utility Trailer	n/a	\$9,000
#322	Parks	2003	16' Utility Trailer	n/a	\$10,000

ARTICLE 46: APPROPRIATE FOR KENDRICK STREET BRIDGE REPAIR DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$125,000 for the design of the renovation/repair of the Kendrick Street Bridge over the Charles River, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: As it is surrounded on three sides by the Charles River, the Town jointly maintains a number of bridges with neighboring communities. The Massachusetts Bridge Inspection Program has identified a number of bridges to have some level of deficiency and has recommended repairs. This program is essential to improve the structural and/or surface integrity of all bridges throughout Needham. The South Street/Willow Street Bridge and the Kendrick Street Bridge are both in need of repair. Capital Project costs will include surveying, engineering evaluation, design, and repair or reconstruction. Recent reports from Mass Highway indicated that the conditions of the South Street/Willow Street Bridge and the Kendrick Street Bridge are worsening and are in immediate need of repair. The State has agreed to pay for the repairs of the Willow Street Bridge, which will be designed under the direction of the Town of Dover. FY2010 funding is intended for the Kendrick Street Bridge Evaluation and Design.

ARTICLE 47: APPROPRIATE FOR ROADS, BRIDGES, SIDEWALKS AND INTERSECTION IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$875,000 for repairs to the Town's roads, bridges, sidewalks and intersections, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The roadway system throughout the community developed over the last century. Many miles of roadway, mainly residential, were developed after World War II. A combination of the aging of the earliest roads, the tremendous expansion of the road system, and the inability to provide adequate, ongoing maintenance and repair over the past 25 years has resulted in a significant decline in the overall condition of Needham's roads, bridges, sidewalks, and intersections. This program is essential to improve the structural and surface integrity of the Town's network of accepted streets. The primary strategy in this program is asphalt paving and incidental work directly associated with paving. Incidental work includes corner reconstruction, handicap ramps, leveling, structural overlays, utility adjustments, minor drainage improvements, some drain extension work, street sign replacement, asphalt curbing with grass shoulders and pavement markings. Many streets have insufficient pavement thickness, are poorly shaped, lack curbing and require some drain improvements. Applying this repair strategy in a timely manner will help defer costly and disruptive street reconstruction on all but the most highly traveled roadways. Paving roadways in a timely manner will extend the useful life of the roadway system in the most cost effective manner. This program also provides funding for reconstruction and repair of sidewalks. There are over 160 miles of sidewalks in Needham, of which, 52 miles are designated as school walking routes. This program also funds traffic signal improvements for existing traffic signals and provides funding for new traffic signals where none currently exist.

ARTICLE 48: APPROPRIATE FOR STORMWATER MASTER PLAN DRAINAGE IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$200,000 for drainage improvements, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: *The 2002 Storm Water Master Plan identified a number of areas throughout the Town where improvements are required to resolve flooding problems and illicit discharges. Locations for improvements have been prioritized within the Plan. The funding request includes installation of additional storm drains between Lantern Lane and Gayland Road.*

ARTICLE 49: APPROPRIATE FOR PARKING METERS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$42,000 for replacement of parking meters, to be spent under the direction of the Town Manager, and to meet this appropriation that \$42,000 be transferred from the Parking Meter Fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: *This is the second year of a two-year request to replace the Town's parking meters to black street side parking meters with fluted bases. These electronic parking meters are easier to read and have a "smart lock" revenue management system. The coin collection system is sealed, which eliminates direct access to the funds collected. The system can produce a collection audit data report to verify the amount of funds collected as well as operational status. Since the installation of the new meters in Needham Center, collections have increased in these meters as compared to the older meters.*

ARTICLE 50: APPROPRIATE FOR ATHLETIC FACILITY MAINTENANCE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$24,000 for athletic facility maintenance and improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that \$10,000 be transferred from Article 33 of the 2005 Annual Town Meeting, and \$14,000 be transferred from Article 36 of the 2004 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: *The Department of Public Works has developed a maintenance plan for all fields, which includes new or total reconstruction, renovation, irrigation and drainage improvements, and equipment replacement and repair of items such as bleachers, fences, backstops, player benches and miscellaneous equipment for all fields and ball diamonds. This article will fund improvements to the Asa Small Diamond. The perimeter fencings and backstops are in need of replacement – the existing installations are those that were originally installed in 1969. Funding would provide new, updated backstops and complete perimeter fencing with gates (\$75,000). The player benches are wood boards and are a high maintenance and safety issue because of the splintering of the wood. The benches would be replaced with a durable constructed product (\$3,200). Finally, the irrigation system at Asa Small is not operational. The system will be replaced and connected to the new irrigation system at DeFazio Park (\$29,000). The entire Asa Small project (\$107,200) will be funded through a combination of the transfer of \$24,000 from prior articles and the designation of \$83,200 from the DeFazio Track project (Article 4 of the March 3, 2008 Special Town Meeting).*

ARTICLE 51: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$136,609 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from RTS enterprise fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
RTS	Core Fleet Replacement	\$26,609	
RTS	Large Specialty Equipment	\$110,000	
Total Appropriation		\$136,609	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the core fleet vehicles scheduled to be replaced in FY2010 include:

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
#56	RTS	2002	Facility Pickup Truck	121,000+	\$ 26,609

RTS Large Specialty Equipment Unit # 91, the Vertical Vibratory Material Screener, is the front line processing device used to handle all DPW infrastructure waste. This unit was placed in service in 2000. By using this equipment, the Town is able to avoid both disposal costs and construction material costs, saving hundreds of thousands of dollars annually.

ARTICLE 52: APPROPRIATE FOR RTS CONSTRUCTION EQUIPMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$230,000 for a front end loader for the RTS, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Unit #143 is a front line loader at the RTS. This piece of equipment was purchased in 2000. This piece of equipment has been in use for 10 years and has more than 14,500 operating hours and needs to be replaced to ensure continued operations at the RTS.

<i>Unit</i>	<i>Division</i>	<i>Year</i>	<i>Description</i>	<i>Miles</i>	<i>Cost</i>
#143	RTS	2000	Front End Loader	n/a	\$230,000

ARTICLE 53: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$722,000 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Core Fleet Replacement	\$122,000	
Sewer	Construction Equipment	\$160,000	
Sewer	Large Specialty Equipment	\$345,000	
Sewer	Small Specialty Equipment	\$45,000	
Sewer	Sewer Service Connections	\$50,000	
Total Appropriation		\$722,000	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

***Article Information:** All Sewer Enterprise Fund cash capital items are included as one article. This methodology allows Town Meeting to view cash capital in its entirety as a considered and thoughtful recommendation on the part of the boards and committees, rather than as a series of independent articles. This approach will still allow for amendment of each line item. Capital proposed for funding by debt will continue to be presented as a separate article, in that debt authorizations require a 2/3 vote of Town Meeting. A description of each request follows.*

Sewer Core Fleet Replacement The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the vehicle(s) scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#19	Sewer	1994	Six Wheel Dump Truck	58,469	\$122,000

Sewer Construction Equipment Unit # 101 is a front line loader in the Water and Sewer Division. This piece of equipment was purchased in 1993. This piece of equipment will be 17 years old next year and is nearing the end of its useful life.

Sewer Large Specialty Equipment This program will provide funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of each division's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. The equipment proposed to be purchased in FY2010 includes a combination jet flusher/vacuum collection truck to replace a 1999 catch basin cleaner (Unit #37).

Sewer Small Specialty Equipment This program will provide funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of each division's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment to be replaced in FY2010 includes is an emergency trailer pump used to by-pass sewer pumping stations or alleviate flooding:

Unit	Division	Year	Description	Miles	Cost
#169	Sewer	1998	Trailer Pump, 6 inch	n/a	\$45,000

Sewer Service Connections *Installation or replacement of sewer service connections should be performed when roadways are reconstructed or resurfaced. There are homes in Needham that have not been connected to the sewer system. Should these septic systems fail, the homeowners may be ordered to connect to the sewer system for health reasons, regardless of the DPW-imposed moratorium on excavations in new roadways. Homeowners will be encouraged to connect to the system prior to road improvements. However, for those homeowners who do not choose to connect to the system, a partial connection within the right-of-way will be installed.*

**ARTICLE 54: APPROPRIATE FOR WASTEWATER PUMP STATION DESIGN –
RESERVOIR B**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$577,500 for engineering and design for renovation and improvement to the Reservoir B sewer pump station, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C; to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$577,500 under M.G.L., Chapter 44, Section 7, M.G.L., Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or a loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager is authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available to the project, or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: As part of the Wastewater System Master Plan, several of the wastewater pumping stations were evaluated to determine their current physical condition, capacity vs. current and future flow projections and compliance with current codes or standards of operation. The Reservoir Street "B" Station is the second oldest station in the system. Its standby generator has failed and pumps need constant maintenance. The amount of activity in the Needham Business Center will have a tremendous impact on the Kendrick Street and Reservoir "B" Stations. New enhancements must now be contemplated in anticipation of the addition of 350 residential units at 300 Second Avenue and other commercial development proposed for completion in the next few years.

ARTICLE 55: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$805,682 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from Water enterprise fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Core Fleet Replacement	\$54,882	
Water	Fire Hydrant Replacement	\$100,000	
Water	Small Specialty Equipment	\$45,000	
Water	Water Supply Feasibility Study	\$75,000	
Water	Water Service Connections	\$200,000	
Water	Water Distribution System	\$330,800	
Total Appropriation		\$805,682	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: All Water Enterprise Fund cash capital items are included as one article. This methodology allows Town Meeting to view cash capital in its entirety as a considered and thoughtful recommendation on the part of the boards and committees, rather than as a series of independent articles. This approach will still allow for amendment of each line item. Capital proposed for funding by debt will continue to be presented as a separate article, in that debt authorizations require a 2/3 vote of Town Meeting. A description of each request follows.

Water Core Fleet Replacement The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the vehicle(s) scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#20	Water	1998	Sedan	68,117	\$25,057
#21	Water	2001	Pick-up	96,078	\$29,825

Fire Hydrant Replacement Program The goal of this program is to remove and replace older and out-dated fire hydrants with new and more reliable fire hydrants within the community. There are approximately 300 unreliable fire hydrants. During the annual fall hydrant inspection (dry testing), older fire hydrants have been targeted as potential freezing hazards due to their lack of ability to either properly drain or efficiently shut down. Using prior year funding, the Town installed approximately 60% more hydrants than anticipated by using its own forces instead of contracting the work out. The proposed funding will support the removal and replacement of approximately 50 hydrants.

Water Small Specialty Equipment The Water and Sewer Division remains on stand-by status 24 hours per day to respond to emergencies. The Division has inventoried its emergency response capabilities and has determined that the existing, 1962 vintage mobile generator (Unit #218) is not equal to the task of supporting the St. Mary Street Pump Station. The existing mobile generator was acquired as surplus equipment from the Civil Defense Department in the 1960's.

Unit	Division	Year	Description	Miles	Cost
#218	Water	1962	Mobile Generator	n/a	\$45,000

Water Supply Development Feasibility Study *The historical demand in water supply is seasonal in nature. The typical usage during non-summer periods is 2-3 million gallons per day (mgd). The summer usage can reach as high as 5-7 mgd. Therefore, the Town must supplement its supply from the MWRA. Ideally the reliance on the MWRA source would be for emergency purposes as a back-up supply. Becoming more self-reliant would require the development of additional wells. The timeframe for putting new or additional supply on-line is typically 10 years. The development of new wells within the well field would allow the Town to better manage the water within the well field. This process would be initiated through a feasibility study.*

Water Service Connections *The primary purpose of this program is to remove lead from the system by replacing older water service connections containing lead. The Town's water treatment process reduces the corrosivity of Needham's water to minimize the leaching of lead from the water pipes and house plumbing. However, only the removal of the lead sources will completely assure total compliance. The lead found in water service connections can be eliminated over time by replacing these connections. The DPW integrates this program with road repair and replacement initiatives – service connections are being replaced on streets that have been identified for road improvements.*

Water Distribution System Rehabilitation *The annual Water System Rehabilitation Program draws from the recommendations of the Water System Master Plan. This master plan recommends that pipes 85 years or older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, projects for FY2010 include Chapel Street/May Street (construction), Pickering Street/Great Plain Avenue to the end (engineering, design and construction). Funding for this project has been allocated between cash and debt. The debt authorization is included under Article 56.*

**ARTICLE 56: APPROPRIATE FOR WATER DISTRIBUTION SYSTEM
REHABILITATION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,00,000 for water distribution system rehabilitation, to be spent under the direction of the Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C, that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: *The annual Water System Rehabilitation Program draws from the recommendations of the Water System Master Plan. This master plan recommends that pipes 85 years or*

older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, projects for FY2010 include Chapel Street/May Street (construction), Pickering Street/Great Plain Avenue to the end (engineering, design and construction). Funding for this project has been allocated between cash and debt. The cash capital authorization is included under Article 55.

TOWN RESERVE ARTICLES

ARTICLE 57: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Chapter 40, Section 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry.

ARTICLE 58: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L., Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003; to be raised from the Tax Levy, or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. The recommended amount results from residual balances in prior, facility-related appropriations that have been completed and can be closed out.

ARTICLE 59: APPROPRIATE TO STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Stabilization Fund, said sum to be raised from the Tax Levy, or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: Municipalities are authorized under M.G.L., Chapter 40, Section 5B to establish stabilization funds. Monies appropriated to the Stabilization Fund remain in the fund and carry forward from one fiscal year to another. The interest earned on the stabilization fund remains with the fund. The money from the Stabilization Fund can be appropriated for any lawful municipal purpose. Appropriations both into and from the fund require a two-thirds majority vote of Town Meeting.

Although the monies in the general Stabilization Fund may be appropriated for any lawful purpose, it is recommended that appropriations from the Stabilization Fund be limited to extraordinary unforeseen events or exceptionally negative fiscal conditions. Maintaining this fund also serves another important function in that it represents the Town's commitment to prudent financial planning. State laws do restricts the amount that may be maintained in stabilizations funds to not more than ten percent of the Town's prior year tax levy, and not more than ten percent of the Town's equalized valuation, which is calculated bi-annually by the Department of Revenue.

ARTICLE 60: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen



Report to Town Meeting

The Needham Town Meeting Study Committee

Date submitted: February 2, 2009

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Appointed to the Town Meeting Study Committee, June 2007:

Paul Denver, *Chair*

Elizabeth Handler, *Vice-Chair*

Mark Gluesing, *Clerk*

Susan Abbott

Maureen McCaffrey

Barbara Popper

James Hugh Powers

Greg Shesko

Sally Toran

Town Meeting Study Committee website:

<http://www.needhamma.gov/index.asp?nid=1300>

FINAL REPORT OF NEEDHAM'S TOWN MEETING STUDY COMMITTEE

INTRODUCTION

The mandate of the Town Meeting Study Committee was to investigate ways of strengthening Needham's Representative Town Meeting. We were asked specifically to look at the advisability of creating additional standing committees, to consider ways to improve the procedures of Town Meeting and to curb excessive absenteeism.

Since its first meeting in June 2007, the Committee has gathered a substantial amount of information and a wide scope of opinions regarding the strengths and weaknesses of Town Meeting. We contacted officials from virtually all of the approximately thirty-seven other Representative town meetings in Massachusetts and reviewed the by-laws and websites of those towns. Our Committee sent current and past Town Meeting Members (TMMs) detailed questionnaires and received helpful responses, including written comments. Fifty-nine percent of current TMMs and forty-six percent of former recent TMMs responded to the questionnaires. We also interviewed representatives of the Board of Selectmen, the School Committee and the Finance Committee, and we spoke at length with the Moderator, as well as TMMs. On October 1, 2008, the Committee held a public hearing at the Broadmeadow School to which all Needham residents were invited. A small but articulate group responded and provided us with valuable insights.

The Committee also met publicly approximately once a month to analyze the information received and to weigh our responses. Minutes of our meetings are and have been available at the Town website. The interim report of the Committee delivered to Town Meeting in May 2008 is also available at the website.

Our nine-member Committee has concluded its work with the firm conviction that Town Meeting in Needham is a vital, strong voice for the citizens of our town. We reject the notion that Town Meeting is an obsolete institution in a complex and rapidly changing world. Truly democratic institutions such as Town Meeting have an increasingly important role today when so many institutions under whose shadow we live provide us as citizens with little opportunity to be heard and taken seriously. We are elected by our neighbors and responsible to them.

Despite the core strength of Town Meeting, current and past members, as well as others, have thoughtfully, creatively and in good faith recommended ways in which to improve an institution which has flourished for nearly 300 years. We wish to thank all of the individuals and committees for their helpful contributions.

This report is organized around the various topics which have engaged our Committee. Although discussion of those topics necessarily risks some repetition because of their overlapping nature, we have tried to avoid redundancy. Our goal is to provoke discussion and, where appropriate, change in Needham's Town Meeting.

TOWN MEETING PROCEDURES

The Committee perceives a tension between the goals of efficiency and thoroughness in achieving the purposes of Town Meeting, the legislative branch of Needham. Virtually all questionnaire respondents recognized that certain issues require substantial time for analysis and discussion. Avoidance of being or becoming a "rubber stamp", that is, approving recommendations without thorough scrutiny, is a high value.

On the other hand, TMMs have complained loudly about activities which they consider to be a waste of their time. Our comments should be taken in that context.

INFORMATION TO TOWN MEETING MEMBERS MUST BE TIMELY

A fundamental premise of Town Meeting is that members are informed about the issues before them. Many Town Meeting Members have criticized receiving necessary information too late, often on the date of discussions. TMMs have an obligation to review the warrant and the warrant explanations before discussions at Town Meeting. The Town's Annual Report, another source of valuable information, and other reports are also mailed to TMMs before our sessions. This Committee recommends that TMMs not only become familiar with these sources of information, but also utilize the Town website throughout the year, call knowledgeable town officials with questions, and participate in the League of Women Voters Warrant Meetings held prior to Town Meeting. Attendance at Warrant Meetings has declined recently. Efforts have been made to streamline that forum, and TMMs should be expected to attend in order to increase their understanding of the various issues before them. This forum is organized by precinct (two precincts to a room), and it is therefore a good opportunity for TMMs to acquaint themselves with others in their precincts.

Whenever possible, advocates and presenters should avoid providing written materials to members for the first time at Town Meeting sessions. Wherever possible, those materials should be mailed to TMMs and/or posted on the Town website at least seven days before the materials are to be discussed. Votes of town committees, including the Finance Committee, should, where feasible, be provided to TMMs at least seven days before discussions to which they are pertinent. As explained below, the Committee believes that the Town website can be instrumental in distributing necessary information. The Committee does understand that information is not always available before the day of Town Meeting, particularly, for example, with regard to contract negotiations. However, distribution of written materials at Town Meeting sessions, rather than before the sessions, should be very much the exception.

TMMs also have the opportunity to attend or watch on local television pertinent hearings and meetings of various boards and Town committees. Meetings of the Board of Selectmen and the School Committee are routinely televised. However, the meetings of the Finance Committee are not televised. Despite the recent creation of a Finance Committee website, it is the suggestion of our Committee that Finance Committee meetings, which are public, be televised if the technical capacity of our local channel permits. Since the Finance Committee addresses virtually every financial request or issue facing the Town, their meetings are highly informative for TMMs. Those TMMs will be able to stay abreast of financial developments much more conveniently than is the case now, if the meetings are televised.

PRESENTATIONS AND COMMENTS AT TOWN MEETING

The Committee recommends that those who comment about and advocate for warrant articles present their views briefly to Town Meeting without redundancy and respond, under the direction of the Moderator, succinctly. Written explanations of articles in the warrant have become highly detailed over the years and presenters should assume that TMMs have read them. Members of the Board of Selectmen and Finance Committee

should make every effort to communicate with each other before presentations and avoid redundancy. Questions and comments from TMMs are also more effective if stated briefly and clearly. The Committee suggests that members generally avoid restating views which others have already made clear.

ORDER OF WARRANT ARTICLES

The Committee discussed the possibility of recommending that the budget warrant article be moved later in the warrant. Doing so would give more time for the Finance Committee to review specifics in the budget, and could improve attendance at later sessions of the Annual Town Meeting. However, our Committee is not recommending this change at this time, but instead, suggests discussion of this potential approach at TM.

The Committee suggests that, if possible, Town Meeting Members be told why articles are withdrawn from consideration.

The Committee recommends that only in the most compelling circumstances should a capital item be brought up at a Special Town Meeting.

THE OMNIBUS ARTICLE

One part of Town Meeting which has been troublesome to the Committee is the inappropriate use of the Omnibus article, the final article considered at Annual Town Meeting. This article has traditionally been an instrument to permit Town Meeting to revisit and "tidy up" a variety of matters, including the correction of calculation errors in fiscal matters. It has also been used for resolutions which recognize outstanding individuals and has effected the creation of study committees, including ours. However, the Committee does not believe that the Omnibus article should be used to bring issues to Town Meeting floor that have not been previously discussed. Doing so undermines the purpose of the warrant: to provide notice to Town Meeting Members and other citizens of all issues to be discussed at Town Meeting. Proposing new substantive discussions through the Omnibus article creates unfair and inappropriate surprise to the detriment of our citizens. Several years ago, this article was used to introduce without notice a resolution pertaining to national politics. It is the Committee's view that such a use of the article is inappropriate. Therefore, the Committee has placed before Town Meeting for consideration the attached by-law for the use of the Omnibus article.

TOWN MEETING SCHEDULING

Town Meeting scheduling is a live issue. In response to our questionnaires, some members expressed interest in starting sessions at 7:00 p.m. rather than 7:30 p.m. However, our Committee, on balance, continues to believe that the starting time should not be changed, considering that many members must commute to and from Boston and should have an opportunity for supper before engaging for several hours at Town Meeting. The Committee has also considered whether a break is needed at approximately 9:00 p.m., as is the custom. On balance, we recommend that the break continue, but that every effort is made to limit it to fifteen minutes. Our rationale is that such a short break between sessions of approximately 90 minutes each is not unreasonable, helps to keep people refreshed, and allows members to mingle.

However, we believe that our sessions at times extend too late into the night. Well over 50% of Town Meeting Members recommended, in questionnaire responses, that no new matter should be brought before Town Meeting after 10:30 p.m. Late sessions can be exhausting and can lessen the interest of members in having full and necessary discussions about articles. We endorse this proposition, with the caveat that this rule will be waived upon motion approved by two thirds of those present. Some flexibility in this rule is necessary in order to permit extended meetings on the last night of Town Meeting or in other circumstances which might arise.

A number of members expressed some frustration about time taken up at the beginning of meetings for invocations and other purposes. Some even suggested that such matters should begin at 7:00 p.m., prior to the 7:30 p.m. commencement of meetings. However, the Committee believes that ceremonies are appropriate at the beginning of our meetings, but urges that the ceremonies be brief, so that the work of Town Meeting can begin. The Committee recommends that the clergy who are invited to speak be instructed that this is not a bully pulpit; they are there simply to provide spiritual guidance, and their remarks should be limited to less than five minutes.

It is not possible to recommend or pre-determine how many sessions will be necessary for any single Town Meeting. One nearby town does all of its work in a single evening, while another municipality devoted fourteen evenings to Town Meeting last year. However, like most members, the Committee endorses reasonable steps to expedite Town Meeting. For example, the Committee supports the use of the consent agenda to save time. The current consent procedure is useful, but TMMs should anticipate its use and should know before they enter the session whether they wish to raise a question. Shortening the time for debate has also been proposed, but the Committee believes that the Moderator, who controls debate, has been effective and has reasonably exercised his discretion to extend debate for good reason. Instead of formally limiting debate through further rules, the Committee urges TMMs to be mindful, when they speak, that Town Meeting has much to do within a limited amount of time.

MOVING THE PREVIOUS QUESTION

One time-saving procedure criticized by some members is the motion to move the previous question, also known as “calling the question”. Requiring a two-thirds vote, the motion, if approved, cuts off all debate. By its nature, the motion prevents people who may have something to say from speaking. The Committee believes that the motion continues to serve a useful purpose, but urges members to invoke it conservatively in order to allow fellow members to speak their minds. In other words, Town Meeting should err on the side of having an overly lengthy debate rather than a short-circuited discussion. Despite the occasional misuse of the motion in the past, eliminating it from Town Meeting would remove any means to stop unreasonable filibustering.

RECOGNIZING SPEAKERS

Some Town Meeting Members have also suggested that the method for recognizing speakers at Town Meeting is less than ideal. Currently, individuals are recognized by the Moderator when they raise their hands, stand up, and/or call out to the Moderator. They can also inform the Moderator before debate about their wish to speak. Members have suggested that it is difficult to be recognized at times, that it appears that

same individuals are repeatedly called upon, and that new members particularly feel left out. The Moderator has assured the Committee that his practice is to recognize all members who wish to speak. It appears that more experienced members have an advantage in that they are more aggressive than others in seeking recognition. In other places in this report, the Committee recommends more intensive orientation of new TMMs to our traditions, including how to be recognized to speak. The Committee urges new members to be aggressive in seeking such recognition.

However, the Committee has also considered one particular logistical change to address this issue. If, instead of passing the microphone to individuals in their seats, we required speakers to come into the aisles where microphones would be set up, anyone who wished to speak could come to the microphone and no one would be overlooked. Other towns have adopted this approach. The Committee recommends that Town Meeting give this method a trial in order to determine how well it works.

APPOINTMENT OF COMMITTEE MEMBERS

The Committee has concluded that delay in the appointment or replacement of members of Town Meeting committees has, from time to time, hindered the work of those committees, including the Finance Committee. We therefore recommend that appointments to newly created committees be completed within one month of the conclusion of the Town Meeting which created such committees. The Study Committee also recommends that vacancies in committees be filled within one month of the vacancy.

The Committee recognizes that the lack of volunteers or qualified volunteers may well have led to appointment delays in the past. We recommend that the Procedures Committee, which we have proposed (see below) solicit the names and qualifications of potential volunteers for TM committees in order to be able to identify and recommend such individuals quickly and efficiently to the appointing authority, including the Moderator, as soon as the need develops.

PRECINCTS AND THEIR ROLE AT TOWN MEETING

Under our state Constitution and laws, precincts in towns play an important role in state and local elections. They are critical to our republican form of government with its reliance on the choice of elected legislative bodies, including U.S. Congressmen and other elected officials on a “one person, one vote” basis. Every town of more than 2,500 inhabitants, whether it has an open town meeting or a representative town meeting, is required to divide itself into new population-equal precincts following each federal decennial census. No such precinct may contain more than 4,000 inhabitants.

Town Meeting Members chosen from precincts have a dual responsibility, first to the well-being of the Town at large, and then to the concerns and interests of their respective precincts.

The Committee’s research found that in many towns, precinct organization is an important aspect of Town Meeting. In some towns, precinct members may meet together and with other precinct residents prior to town meeting to discuss the warrant and its impact on the precinct, thus educating and involving them from the grass roots. Precinct members may choose leaders, who then play various roles at Town Meeting and for the Town Meeting Members of their precinct, such as disseminating information in meetings

or via email. Having a smaller group can allow more voices to be heard than when the whole body is in session or online.

Our precinct system should be utilized to encourage citizens to know and communicate with their TMMs. Based upon our research, it is quite clear that most Needham TMMs are seldom approached by other residents about the business of the Town. In fact, it is our view that most Needham residents do not know who their Town Meeting representatives are and many do not know in any detail how Town Meeting works.

For many years the League of Women Voters of Needham held Warrant Meetings at homes in each precinct. During the last few years Warrant Meetings have been held in one location (the Pollard Middle School) with TMMs from two precincts doubling up in each classroom. The reason for this change was to make it easier for the Town officials (Selectmen, School Committee members, etc.) to move around, not because of a conflict concern.

Changing the role of the precincts could affect Needham Town Meeting significantly and should not be done lightly. For example, it has the potential to encourage TMMs to weigh the interests of a particular precinct over the concerns of the Town as a whole. This was mentioned as a concern in some of the towns that we researched and our Committee would not welcome that development. However, precinct organization also has the potential for good. Our Committee has recommended elsewhere in this report that an additional standing committee, a Procedures Committee, be created. That Committee, among other things, would constantly monitor the strengths and weaknesses of Town Meeting and recommend appropriate changes to the Moderator and/or Town Meeting. Our Committee recommends that the Procedures Committee study the role of precincts and provide its considered recommendations to Town Meeting in the near future regarding this issue.

ABSENTEEISM

Since the mid 1990's there have been numerous articles, editorials and letters in the Needham newspapers that focused on and were very critical of absenteeism at annual and special Town Meetings. In 2007 an individual was quoted as saying "There is an outrageous degree of absenteeism at Town Meeting." The first mandate to the Town Meeting Study Committee was to examine the amount and nature of Town Meeting absenteeism; is it a serious problem, and, if it is, what recommendations should be made to deal with it?

In order to analyze and place in perspective Town Meeting attendance, old Town reports and current files were researched. Committee members also contacted other towns with representative town meetings to ascertain their levels of attendance.

Average Needham Town Meeting attendance for each of three periods of time:

FY1934-FY1986---86% for 54 meetings (at five year intervals)

FY1990-FY1999---84% for 70 meetings

FY2000-FY2008---84% for 45 meetings

Average Needham Town Meeting attendance for FY2000-FY2008

FY2000---80%	FY2005---78%
FY2001---84%	FY2006---84%
FY2002---87%	FY2007---85%
FY2003---88%	FY2008---84%
FY2004---86%	

Average Town Meeting attendance in other Towns (years vary):

Dedham-----86%-90%
Lexington----86%-91%
Norwood-----52%-64%
Wellesley-----86%-88%
Winchester---83%

Based on this information, the Committee has concluded that there is not a Town Meeting attendance crisis and therefore, there is no need to enact Charter or By-Law change to address absenteeism. In comparing recent Town Meeting attendance numbers with those from previous decades and with those from other towns, the average Town Meeting attendance of 84%-86% is reasonable and not a cause for concern. Since 1934, when representative town meeting was first introduced in Needham, there has never been a “golden age” when attendance was regularly 95%-100%. It is unrealistic to expect, in Needham or in any other town, near perfect attendance at town meetings with 250 members.

Nevertheless, the Committee would like to address two issues: Some members are chronically absent from sessions and others leave during the break or before adjournment. During the five Town Meeting sessions in May 2008, sixteen individuals missed all of them, four missed four of the five meetings and fourteen were absent for three of the five meetings. Statistics for previous years also show similar numbers of Town Meeting Members who were not present for 50%-100% of the sessions. There are no records to indicate how many individuals leave before a session is adjourned.

The Committee is recommending that individuals who miss 50% or more of the meetings during the year should be personally contacted by someone from the newly established Procedures Committee (or by the Moderator or Town Clerk) and their attendance reviewed. Town Meeting attendance records should be made available on the Town’s website. We recommend that the Needham Times/LWVN Voters Guide should also publish the three, two or one year attendance records (as well as the year first elected) of those TMMs who are up for reelection. With this information residents can cast a more informed vote.

Committee members and others are critical of TMMs (often the same ones) who leave at the break or before the end of the meeting. At this time, the Committee does not recommend establishing a formal check-out procedure at adjournment; the benefit would be outweighed by the inconvenience. We suggest that the Procedures Committee monitor this.

In conclusion, an analysis of Town Meeting attendance records in Needham and a comparison of Needham with other towns show that attendance at Town Meetings is not

a problem. However, the Committee would like to have the small number of those who are chronically absent dealt with.

TOWN MEETING MEMBER EDUCATION

It is a privilege to be a Town Meeting Member. Members are making a commitment to attend all town meetings after reviewing the warrant and information from various town committees. One duty of the Town Meeting Member is to be informed of current happenings, which can be accomplished by attending town committee meetings and hearings, watching televised hearings, and communicating with town officials when necessary. The Committee recognizes that conflicts can occasionally cause a necessary absence, but since Needham has a representative form of Town Meeting, attendance is important. It is also imperative to communicate with one's constituents, if at all possible, to learn about their concerns.

A public meeting revealed what the Committee has discussed – that new TMMs do not realize the extent of their obligations when they become a TMM. Currently, a packet with information is sent to all newly-elected TMMs which includes an invitation to attend a new Town Meeting Member orientation given by Michael Fee, the Moderator. Also included is the Needham Town Meeting Handbook, which Michael Fee compiled in 1998 as a guidebook which contains some practical information about our representative town meeting's history and rules. Information includes: how to prepare articles for the Warrant, duties of finance and standing committees, and order of business and procedure. There is also an article written by James Hugh Powers entitled "Preparing for Town Meeting – a Matter of 'Homework'".

The Committee has discussed how to help new TMMs understand the extent and importance of their commitment. The Committee recommends that an informational video with the Moderator giving his orientation about the history of Needham's Town Meeting and the rules and procedures be developed and given to all newly-elected TMMs. This information would be a resource for further questions to be asked at the mandatory orientation meeting for new TMMs.

Increased use of the Town website should be encouraged as an excellent source of information for all TMMs, new and old.

CODE OF CONDUCT

It became evident during our discussions and research that the duties and responsibilities of a Town Meeting Member are not clear, especially to newer members. Therefore, the Committee recommends adoption of the attached by-law to set forth expectations of TMMs without ambiguity. In brief, TMMs need to educate themselves throughout the year about the issues that are likely to come before Town Meeting. Staying informed by attending hearings on key issues, watching televised hearings, communicating with Town officials and reviewing governmental reports is necessary to be an effective TMM. In Needham's representative form of Town Meeting, absence by an elected member disenfranchises a larger portion of the population than the single member. Attendance at all Annual and Special Town Meeting sessions is imperative. The Committee recognizes that conflicts occasionally will cause a necessary absence, but emphasizes the importance of attending.

WEBSITE AND COMMUNICATION

The Committee supports the efforts made by the Town to post information, meeting minutes for committees (ours included), the entire warrant, and information that the departments have prepared. The Town should continue to support the use of the Internet and monitor the usage of the various sites and pages of its website. This monitoring will indicate if greater efforts are needed to promote Internet usage by Town Meeting Members.

We recognize the legal requirements placed on the Town to mail certain materials and do not suggest that those practices be abandoned, but we do recommend that all information be posted to the website with sufficient instruction to citizens on how to find the information either on their own computers, at the library, or other places allowing public use of the Internet.

As noted above, as much as possible, departments and committees should provide information that can be read and absorbed prior to Town Meeting instead of distributing paper versions as members enter the hall. A TM website could advance this goal. Citizens wishing to offer amendments or other supporting information could have them posted. The Moderator's materials for the orientation of new members could also be placed on the website.

We also recommend that the Town Clerk collect email addresses from TMMs wishing to be notified of new information. Those without email could request mail notification if they wish advance information before Town Meeting.

PROCEDURES COMMITTEES IN OTHER TOWNS

Many towns in Massachusetts with representative Town Meeting have Town Meeting procedure committees. The membership of these committees is chosen exclusively from Town Meeting Members from precincts. The members are either elected by the other members of their precinct or appointed by the moderator. These towns include: Amherst, Arlington, Billerica, Burlington, Dedham, Framingham, Norwood, Plymouth, Reading, Stoughton, Winchester, Brookline, Holbrook, Lexington, and Wellesley.

The procedures committees have names such as Town Meeting Procedures Committee, Town Meeting Coordinating Committee, Town Meeting Rules Committee, and Precinct Organization and Caucuses.

These committees have many different roles:

- take responsibility for the education and orientation of new TMMs
- hold precinct warrant review meetings before Town Meeting
- advise the Moderator and Town Meeting on procedures and rules
- advise the Town Meeting on warrant articles
- propose changes in the Town Charter and By-Laws
- sponsor bus tours of sites related to warrant articles
- assist the Moderator in the selection of appointees to committees of Town Meeting
- review and make recommendations regarding all matters referred by Town Meeting
- review all aspects of the operation of Town Meeting and make an Annual Report in writing

Lexington has an independent Town Meeting Members Association which maintains its own website (at <http://www.lexingtonmma.org>). Its mission is to support, encourage and inform discussion among Town Meeting Members.

PROPOSED PROCEDURES COMMITTEE FOR NEEDHAM

The Committee has researched and discussed many issues regarding the in-session operations and procedures of the Town Meeting and has summarized its findings and recommendations above. However, the Committee believes that issues such as information flow, discussion process, proponent presentations, and other subjects mentioned in this report need ongoing monitoring and management by a Procedures Committee.

The Committee met with the Moderator and discussed some of the concerns regarding these issues. The Moderator, working with the Town Clerk, tries to monitor problems and issues, and has made modifications to procedures in the past. After discussion with the Moderator, the Committee reviewed the feasibility of forming a Procedures Committee and a wide range of possible duties for it. We recommend adoption of the attached by-law creating such a committee. Duties discussed ranged from website management to monitoring the length of the mid-session break.

The following duties are recommended for the Procedures Committee, the details of which are more extensively reviewed in other sections of this report.

- Review and monitor attendance.
Formulate and implement methods for dealing with chronic absenteeism and other attendance issues.
- Develop rules and distribution methods for warrant article information distribution.
The distribution of information on tables outside the meeting hall is universally seen as poor practice by the Committee and by those commenting to them. The new Procedures Committee would set rules and assist with distribution of information.
- Study the use of the Town website and how it could serve the needs of Town Meeting. Members of the Procedures Committee will consider establishing an additional standing committee of Town Meeting to implement and manage electronic information distribution.
- Monitor and make recommendations regarding the rules and procedures in place during Town Meeting.
The Study Committee questionnaire asked about the session's starting and ending times. This issue needs ongoing review. The desire for thorough discussion of the warrant articles conflicts with the desire for efficiency; and discussion procedures need ongoing monitoring and recommendations for improvement.
- Assist Moderator and Town Clerk in new member education and orientation.
It is important that members understand how Town Meeting operates. How to be recognized to question or comment during discussion, types of questions allowed, moving the question, are all of critical importance and not always understood clearly. Town Meeting Members need to understand the overall Town government structure and Town Meeting's important role as the legislative body in Town government.
- Enforce Town Meeting Member Code of Conduct.

As noted, the Study Committee has developed a warrant article by law amendment regarding expectations and requirements for members.

- Provide general assistance to the Moderator in Town Meeting operations.
- Consult with the Warrant Committee on the organization of the Warrant Articles.

As observed earlier, some other towns place their main budget articles later in the warrant. This and other warrant organization issues need ongoing review.

The Committee discussed various methods for appointment of the Procedures Committee. The recommendation is that the Procedures Committee consists of seven members, serving staggered 3-year terms appointed by the Moderator..

CONCLUSION

The Committee offers its recommendations and comments to Town Meeting in an effort to strengthen an already vibrant institution. Throughout our deliberations, our goal has been not to criticize, but to improve. We have been cautious in considering sudden, dramatic changes to a three-hundred year old body which has served us well. Nevertheless, we see merit in continuing to consider potential reforms in the future, a task which we believe our proposed Procedures Committee can perform well.

We thank the many citizens of Needham who shared their thoughts with us about the many issues which we have discussed. We trust that our views, as expressed in this report, will lead to that most characteristic activity of Town Meeting: full-throated, thoughtful debate.

The Town Meeting Study Committee

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least 7 days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 10th day of February 2009.

James G. Healy, Chairman
Daniel P. Matthews, Vice Chairman
John A. Bulian, Clerk
Denise C. Garlick
Gerald A. Wasserman
Selectmen of Needham

a true copy
ATTEST:

**Reserve Fund Transfer Requests
Approved by the Finance Committee
Fiscal Year 2008**

Budget	Date of Action	Amount
Board of Selectmen	October 3, 2007	\$6,000
Department of Public Facilities	December 19, 2007	\$12,876
Department of Public Facilities	April 2, 2008	\$37,000
Department of Public Facilities	June 25, 2008	\$191,772
Department of Public Works - Snow & Ice	June 4, 2008	\$497,378
Fire Department	June 4, 2008	\$65,000
Total Approved from General Reserve Fund		\$810,026
Total Approved from RTS Reserve Fund		\$0
Sewer - Emergency Repairs (Rte 128)	June 28, 2008	\$35,000
Total Approved from Sewer Reserve Fund		\$35,000
Total Approved from Water Reserve Fund		\$0

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE

Of Funded Full-Time Equivalent Positions

(Excludes Seasonal, Temporary and Intermittent Positions)

TITLE	GRADE	FUNDED FY2007	FUNDED FY2008	FUNDED FY 2009	ANNUALIZED SALARY RANGE
<u>GENERAL GOVERNMENT</u>					
<u>Board of Selectmen/Town Manager</u>					
Town Manager	Contract	1.00	1.00	1.00	Contract
Assistant to the Town Manager	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Department Assistant 1	TS-1	1.13	1.00	1.00	\$27,478 - \$34,807
Department Specialist	TS-3	0.67	0.80	0.80	\$33,359 - \$42,258
Assistant Town Manager/Dir. of Ops.	M-5	1.00	1.00	1.00	\$91,217 - \$114,303
Administrative Assistant	SS-3	1.00	1.00	1.00	\$33,358 - \$42,258
Director of Human Resources	M-3	0.00	0.00	1.00	\$70,504 - \$88,348
Human Resources Administrator	NR-3	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$39,353 - \$52,475
Subtotal:		6.80	6.80	7.80	
<u>Town Clerk</u>					
Town Clerk	Elected	1.00	1.00	1.00	\$76,998
Assistant Town Clerk	NR-3	1.00	1.00	1.00	\$39,353 - \$52,475
Administrative Specialist	TS-4	0.30	0.30	0.30	\$37,349 - \$47,314
Department Assistant 2	TS-2	<u>2.30</u>	<u>2.30</u>	<u>2.30</u>	\$31,007 - \$39,280
Subtotal:		4.60	4.60	4.60	
<u>Legal</u>					
Town Counsel	Sch C				\$66,733
<u>FINANCE</u>					
<u>Assessors</u>					
Administrative Assessor	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Asst. Administrative Assessor	PT-4	1.00	1.00	1.00	\$44,033 - \$57,531
Administrative Coordinator	TS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Data Collector	PT-1	1.00	1.00	1.00	\$32,804 - \$43,377
Department Assistant 3	TS-3	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$33,359 - \$42,258
Subtotal:		5.00	5.00	5.00	
<u>Finance Department</u>					
Asst Town Manager/Dir. of Finance	M-5	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$91,217 - \$114,303
Subtotal:		1.00	1.00	1.00	
Parking Clerk	NR-1	<u>0.17</u>	<u>0.17</u>	<u>0.17</u>	\$32,805 - \$43,377
Subtotal:		0.17	0.17	0.17	
<u>Accounting</u>					
Town Accountant	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Assistant Town Accountant	NR-5	1.00	1.00	1.00	\$49,274 - \$63,384
Administrative Specialist	TS-4	2.00	2.00	2.00	\$37,349 - \$47,314
Department Specialist	TS-3	<u>0.70</u>	<u>0.70</u>	<u>0.70</u>	\$33,358 - \$42,258
Subtotal:		4.70	4.70	4.70	

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE
Of Funded Full-Time Equivalent Positions
(Excludes Seasonal, Temporary and Intermittent Positions)

TITLE	GRADE	FUNDED FY2007	FUNDED FY2008	FUNDED FY 2009	ANNUALIZED SALARY RANGE
<u>Information Technology Center</u>					
Director, MIS	M-3	1.00	1.00	1.00	\$70,504 - \$88,348
Financial System Application Manager	PT-6	1.00	1.00	1.00	\$51,355 - \$67,097
GIS/Database Administrator	PT-5	1.00	1.00	1.00	\$49,275 - \$63,384
Computer Operator	PT-1	1.00	1.00	1.00	\$32,804 - \$43,377
Network Manager	PT-6	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$51,355 - \$67,097
Subtotal:		5.00	5.00	5.00	
<u>Treasurer/Collector</u>					
Treasurer/Collector	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Assistant Treasurer/Collector	NR-5	1.00	1.00	1.00	\$49,274 - \$63,384
Department Specialist	TS-3	2.30	2.30	2.30	\$33,358 - \$42,258
Department Assistant 2	TS-2	1.00	1.00	1.00	\$31,007 - \$39,280
Department Assistant 1	SS-1	<u>0.48</u>	<u>0.48</u>	<u>0.48</u>	\$27,478 - \$34,808
Subtotal:		5.78	5.78	5.78	
<u>Finance Committee</u>					
Finance Comm. Exec. Secretary	NR-4	<u>0.51</u>	<u>0.51</u>	<u>0.51</u>	\$44,033 - \$57,531
Subtotal:		0.51	0.51	0.51	
<u>PUBLIC SAFETY</u>					
<u>Police Department</u>					
Police Chief	M -5	1.00	1.00	1.00	Contract
Lieutenant	P-3	3.00	3.00	4.00	\$65,442 - \$77,650
Sergeant	P-2	8.00	8.00	7.00	\$52,302 - \$60,776
Police Officer	P-1	37.00	37.00	37.00	\$40,797 - \$49,186
Animal Control Officer	NR-2	1.00	1.00	1.00	\$37,768 - \$49,344
Administrative Specialist	TS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Maintenance Worker.	NR-1	1.00	1.00	1.00	\$32,805 - \$43,377
Department Assistant 2	TS-2	2.00	2.00	2.00	\$31,007 - \$39,280
Public Safety Dispatcher	NR-1	3.00	3.00	3.00	\$32,805 - \$43,377
Parking Enforcement Attendant	SS-2	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$31,008 - \$39,279
Subtotal:		58.00	58.00	58.00	
<u>Fire Department</u>					
Fire Chief	M-5	1.00	1.00	1.00	Contract
Deputy Fire Chief Operations	F-4	1.00	1.00	1.00	\$65,891 - \$72,468
Deputy Fire Chief	F-4	4.00	4.00	4.00	\$65,891 - \$72,468
Fire Captain	F-3	2.00	2.00	2.00	\$61,425 - \$63,345
Fire Lieutenant	F-2	6.00	6.00	6.00	\$52,989 - \$58,277
Firefighter	F-1	52.00	52.00	52.00	\$41,345 - \$49,187
Asst., Super., Fire Alarm	FA-2	1.00	1.00	1.00	\$48,473 - \$58,305
Director of Administrative Services	PT-7	1.00	1.00	1.00	\$54,976 - \$71,826
Administrative Assistant	TS-3	1.00	1.00	1.00	\$33,359 - \$42,258
Public Safety Dispatcher	NR-1	4.00	4.00	4.00	\$32,805 - \$43,377
Public Safety Dispatch Super.	NR-4	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$44,033 - \$57,531
Subtotal:		74.00	74.00	74.00	

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE

Of Funded Full-Time Equivalent Positions

(Excludes Seasonal, Temporary and Intermittent Positions)

TITLE	GRADE	FUNDED FY2007	FUNDED FY2008	FUNDED FY 2009	ANNUALIZED SALARY RANGE
<u>Building</u>					
Inspector of Buildings	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Inspector of Plumbing and Gas	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Inspector of Wires	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Local Building Inspector	NR-5	2.00	2.00	2.00	\$49,274 - \$63,384
Sealer of Weights and Measures	NR-4	0.25	0.25	0.25	\$44,033 - \$57,531
Administrative Specialist	TS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Department Assistant 2	TS-2	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$31,007 - \$39,280
<i>Subtotal:</i>		7.25	7.25	7.25	
<u>PUBLIC WORKS</u>					
<u>Department of Public Works</u>					
Director of Public Works	M-5	1.00	1.00	1.00	\$91,217 - \$114,303
Town Engineer	M-3	1.00	1.00	1.00	\$70,504 - \$88,348
Division Super. Water & Sewer	M-3	1.00	1.00	1.00	\$70,504 - \$88,348
Division Super. Highway	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Division Super. Parks	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Division Super. Solid Waste	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Garage & Equipment Supervisor	M-1	1.00	1.00	1.00	\$55,447 - \$69,496
Assistant Town Engineer	NR-6	1.00	1.00	1.00	\$51,355 - \$67,098
Contract Administrator	NR-6	1.00	1.00	1.00	\$51,355 - \$67,098
Administrative Services Manager	NR-5	1.00	1.00	1.00	\$49,274 - \$63,384
Assistant Superintendents	NR-5	4.00	4.00	4.00	\$49,274 - \$63,384
Water Treatment Facility Mgr	NR-5	1.00	1.00	1.00	\$49,274 - \$63,384
Civil Engineer	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Survey Party Chief	NR-3	2.00	2.00	2.00	\$39,353 - \$52,475
AutoCad Technician	NR-2	2.00	2.00	2.00	\$37,768 - \$49,344
Senior Admin. Coordinator	TS-5	1.00	1.00	1.00	\$40,831 - \$51,724
Department Specialist	TS-3	2.00	2.00	2.00	\$33,359 - \$42,258
Department Assistant 2	TS-2	1.00	1.00	1.00	\$31,007 - \$39,280
Master Mechanic	W-7	1.00	1.00	1.00	\$20.78-\$25.45/hour
Public Works Inspector	W-6	2.00	2.00	2.00	\$20.11-\$24.37/hour
Chief Pumping Station Operator	W-7	1.00	1.00	1.00	\$20.78-\$25.45/hour
Working Foreman	W-6	9.00	9.00	9.00	\$20.11-\$24.37/hour
Public Works Technician	W-5	1.00	1.00	2.00	\$18.61-\$22.54/hour
Equipment Mechanic	W-5	3.00	3.00	3.00	\$18.61-\$22.54/hour
Pumping Station Operator	W-5	3.00	3.00	3.00	\$18.61-\$22.54/hour
HMEO	W-4	11.00	11.00	12.00	\$17.31-\$21.06/hour
Craftsworker	W-4	16.00	16.00	16.00	\$17.31-\$21.06/hour
Tree Climber	W-4	2.00	2.00	2.00	\$17.31-\$21.06/hour
Public Works Specialist	W-4	2.00	2.00	1.00	\$17.31-\$21.06/hour
Laborer 3	W-3	3.00	3.00	3.00	\$16.26-\$19.80/hour
Laborer 2	W-2	4.00	4.00	8.00	\$15.63-\$18.55/hour
Laborer 1	W-1	4.00	4.00	0.00	\$14.62-\$16.84/hour
Engineering Aide	NR-1	1.00	1.00	1.00	\$32,805 - \$43,377
Student Draftsman/Rodman	Sch C	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	\$13.48-\$15.99/hour
<i>Subtotal:</i>		87.00	87.00	88.00	

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE
Of Funded Full-Time Equivalent Positions
(Excludes Seasonal, Temporary and Intermittent Positions)

TITLE	GRADE	FUNDED FY2007	FUNDED FY2008	FUNDED FY 2009	ANNUALIZED SALARY RANGE
PUBLIC FACILITIES					
<u>Department of Public Facilities*</u>					
Director of Facilities Operations	M-4	1.00	1.00	1.00	\$82,278 - \$103,100
Dir. of Design and Construction	M-4	1.00	1.00	1.00	\$82,278 - \$103,100
Project Manager	M-1	0.00	1.00	1.00	\$54,447 - \$69,496
Supervisor of Custodial Services	NR-6	1.00	1.00	1.00	\$51,355 - \$67,098
Administrative Specialist	TS-4	1.00	1.00	1.70	\$37,349 - \$47,314
Administrative Analyst	NR-3	0.00	1.00	1.00	\$39,353 - \$52,475
Department Specialist	TS-3	0.80	1.00	0.50	\$33,359 - \$42,258
Senior Custodian 1	BC-2	9.00	9.00	11.00	\$34,537 - \$40,642
Senior Custodian 2	BC-3	3.00	3.00	2.00	\$36,267 - \$42,678
Custodian	BC-1	24.00	24.00	24.00	\$31,343 - \$36,884
Warehouse Person	BT-1	1.00	1.00	1.00	\$36,602 - \$43,069
Craftsman	AC-5	1.00	1.00	1.00	\$43,759 - \$49,636
HVAC Technician	BT-4	2.00	2.00	2.00	\$50,592 - \$59,533
Carpenter	BT-2	1.00	1.00	1.00	\$40,260 - \$47,377
Craftsworker	BT-2	2.00	2.00	2.00	\$40,260 - \$47,377
Plumber	BT-3	1.00	1.00	1.00	\$44,297 - \$52,126
Electrician	BT-3	1.00	1.00	1.00	\$44,297 - \$52,126
Committee Secretary	SS-3	<u>0.70</u>	<u>0.70</u>	<u>0.00</u>	\$33,358 - \$42,258
Subtotal:		50.50	52.70	53.20	

HUMAN SERVICES

<u>Health Department</u>					
Director of Public Health	M-3	1.00	1.00	1.00	\$70,504 - \$88,348
Environmental Health Agent	PT-5	1.13	1.29	1.29	\$49,275 - \$63,384
Public Health Nurse	NR-5	0.08	0.08	0.08	\$49,274 - \$63,384
Program Coordinator	NR-2	0.60	0.60	0.60	\$37,768 - \$49,344
Sr. Program Coordinator**	NR-5	0.00	0.00	0.52	\$49,274 - \$63,384
Public Health Nurse	PT-5	1.26	1.46	1.46	\$49,275 - \$63,384
Administrative Specialist	TS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Department Assistant 2	TS-2	<u>0.40</u>	<u>0.40</u>	<u>0.40</u>	\$31,007 - \$39,280
Subtotal:		5.47	5.83	6.35	

<u>Veterans Services</u>					
Director of Veteran Services	M-1	<u>0.53</u>	<u>0.53</u>	<u>0.53</u>	\$55,447 - \$69,496
Subtotal:		0.53	0.53	0.53	

<u>Youth Services</u>					
Director of Youth Services	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Social Worker	PT-3	2.00	2.00	2.00	\$39,353 - \$52,475
Administrative Assistant	TS-3	<u>0.76</u>	<u>0.76</u>	<u>1.00</u>	\$33,359 - \$42,258
Subtotal:		3.76	3.76	4.00	

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE

Of Funded Full-Time Equivalent Positions

(Excludes Seasonal, Temporary and Intermittent Positions)

TITLE	GRADE	FUNDED FY2007	FUNDED FY2008	FUNDED FY 2009	ANNUALIZED SALARY RANGE
<u>Council on Aging</u>					
Executive Director	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Associate Director	PT-4	1.00	1.00	1.00	\$44,033 - \$57,531
Outreach Worker	PT-2	0.25	0.25	0.25	\$37,769 - \$49,343
Social Worker	PT-3	1.00	1.00	1.00	\$39,353 - \$52,475
Program Coordinator	NR-2	0.80	0.80	0.80	\$37,768 - \$49,344
Building Monitor	Sch C	<u>0.50</u>	<u>0.50</u>	<u>0.50</u>	\$10.55/hour
Subtotal:		4.55	4.55	4.55	

DEVELOPMENT

Planning Department

Planning Director	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Assistant to the Planning Director	NR-3	1.00	1.00	1.00	\$39,353 - \$52,475
Economic Development Coord.	NR-4	<u>0.40</u>	<u>1.00</u>	<u>1.00</u>	\$44,033 - \$57,531
Subtotal:		2.40	3.00	3.00	

Conservation Department

Conservation Officer	M-1	0.72	0.80	0.80	\$55,447 - \$69,496
Administrative Specialist	TS-4	0.00	0.00	0.44	\$37,349 - \$47,314
Department Assistant 1	TS-1	<u>0.00</u>	<u>0.50</u>	<u>0.00</u>	\$27,478 - \$34,807
Subtotal:		0.72	1.30	1.24	

Board of Appeals

Administrative Specialist	TS-4	0.00	0.00	0.56	\$37,349 - \$47,314
Committee Secretary	SS-3	<u>0.64</u>	<u>0.64</u>	<u>0.00</u>	\$33,358 - \$42,258
Subtotal:		0.64	0.64	0.56	

CULTURE AND LEISURE SERVICES

Library

Director of Public Library	M-3	1.00	1.00	1.00	\$70,504 - \$88,348
Assistant Director	NR-6	1.00	1.00	1.00	\$51,355 - \$67,098
Reference Supervisor	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Children's Supervisor	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Technology Specilalist/Archivist	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Tech. Services Supervisor	NR-4	1.00	1.00	1.00	\$44,033 - \$57,531
Reference Librarian/AV Specialist	NR-3	1.00	1.00	1.00	\$39,353 - \$52,475
Reference Librarian/Program Specialist	NR-3	1.00	1.00	1.00	\$39,353 - \$52,475
Circulation Supervisor	SS-5	1.00	1.00	1.00	\$40,832 - \$51,724
Assistant Children's Librarian	SS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Assistant Cataloger	SS-3	1.00	1.00	1.00	\$33,358 - \$42,258
Administrative Assistant	TS-3	0.00	0.00	0.00	\$33,359 - \$42,258
Administrative Specialist	TS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Library Assistant PT	SS-1	5.60	5.70	5.70	\$27,478 - \$34,808
Library Assistant FT	SS-2	2.00	2.00	2.00	\$31,008 - \$39,279
Reference Librarian PT	NR-2	<u>1.97</u>	<u>1.97</u>	<u>1.97</u>	\$37,768 - \$49,344
Subtotal:		21.57	21.67	21.67	

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE

Of Funded Full-Time Equivalent Positions

(Excludes Seasonal, Temporary and Intermittent Positions)

TITLE	GRADE	FUNDED FY2007	FUNDED FY2008	FUNDED FY 2009	ANNUALIZED SALARY RANGE
<u>Park & Recreation</u>					
Director of Park and Recreation	M-2	1.00	1.00	1.00	\$66,079 - \$82,802
Assistant Director	PT-4	1.00	1.00	1.00	\$44,033 - \$57,531
Administrative Specialist	TS-4	1.00	1.00	1.00	\$37,349 - \$47,314
Department Assistant 2	TS-2	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$31,007 - \$39,280
Subtotal:		4.00	4.00	4.00	
Totals		353.95	357.79	360.91	

*FY2007--FY2009 restated to reflect correction.

** .27 of this FTE is funded by non-tax dollars

CLASSIFICATION	FY 2008		FY 2008		FY 2008		FY 2009		FY 2009		FY 2010	
	FTE	Funded	Salary Minimum	Salary Maximum	FTE	Funded	Salary Minimum	Salary Maximum	FTE	Request	Salary Minimum	
Superintendent	1.00		143,000		1.00		154,440		1.00		154,440	
Central Administrators	3.00		117,572	123,386	3.00		113,814	124,484	3.00		118,814	
Director of Financial Operations	1.00		107,882		1.00		112,566		0.79		112,566	
High School Principal	1.00		123,386		1.00		128,553		1.00		128,553	
Middle School Principal	1.00		109,174		1.00		116,737		2.00		116,737	
Elementary Principal	5.00		97,944	112,031	5.00		97,944	117,703	5.00		101,861	
High School Assistant Principal	2.00		77,332	104,781	2.00		79,555	109,949	2.00		82,101	
Middle School House Administrator	3.00		72,110	99,185	3.00		74,183	104,078	2.00		76,557	
Elementary Assistant Principal	1.50		62,831	89,075	1.50		67,952	98,262	1.50		70,127	
Director	6.60		65,514	106,443	6.60		67,397	111,693	7.60		69,554	
Director of Special Education	3.00		73,869	108,862	2.50		75,992	114,232	3.00		78,424	
Department Chairs & Curriculum Coord	2.90		66,296	94,735	3.30		68,202	99,408	5.30		70,384	
Teacher	389.63		40,023	81,346	393.87		41,174	85,359	405.84		42,358	
Nurse	8.40		40,023	76,585	8.50		41,174	80,362	7.58		42,358	
Instructional Assistants	102.18		\$14,451/hr	\$28.31/hr	110.69		\$14,740/hr	\$28.8762/hr	110.38		\$15.1086/hr	
Permanent Substitute	-		\$14.15/hr		4.00		\$14.51/hr		4.00		\$14.51/hr	
Network Administrator	1.00		59,978	82,530	1.00		84,737		1.00		88,973	
Database Administrators	2.00		51,764	71,354	2.00		65,000	74,982	2.00		68,250	
Computer Technicians	5.00		\$21,4087/hr	\$27.0733/hr	5.00		\$21,8369/hr	\$27.6148/hr	5.00		\$21.2172/hr	
School Office Assistants	11.00		\$10.1888/hr	\$14.2709/hr	10.29		\$10.3926/hr	\$14.5563/hr	9.75		\$13.5584/hr	
Mail Carrier/Production Center	1.00		\$15.5107/hr	\$19.7814/hr	1.00		\$15.8209/hr	\$20.1366/hr	1.00		\$16.6663/hr	
Secretary	33.40		\$15.5107/hr	\$25.3095/hr	32.12		\$15.8209/hr	\$25.8157/hr	32.51		\$16.6663/hr	
Director of Community Education and External Funding	0.25		70,806	91,330	0.25		72,576	93,613	0.10		74,390	
Administrative Assistant	5.00		\$21.33/hr	\$37.63/hr	5.00		\$21.86/hr	\$38.58/hr	5.00		\$22.41/hr	
Bus Driver	1.00		\$19.85/hr		1.00		\$20.35/hr		1.00		\$20.86/hr	
Transportation Coordinator	0.50		30,263	31,795	-		59,004		-		60,184	
Accounting Supervisor	1.00		59,600		1.00		58,459		1.00		61,382	
Budget Analyst	1.00		43,837	60,000	1.00		56,940		1.00		59,823	
Total	593.36				607.61				621.36			

DEBT APPENDIX A

Town of Needham - Debt Service - Appendix A

TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED

Project	T.M. Vote	Amount Issued	Bond Issued	Final Maturity	Average Rate
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2009	2010	2011	2012	2013	2014	After 2014
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GENERAL FUND WITHIN THE LEVY LIMIT - AUTHORIZED & ISSUED

DPW Roof	May-1998	\$274,000	Jun-1999	Jun-2009	4.47%	\$26,125	PAID					
Fire Truck #2	May-1998	\$300,000	Jun-1999	Jun-2009	4.45%	\$31,350	PAID					
High School Gym Roof	Nov-1998	\$171,900	Jun-1999	Jun-2009	4.49%	\$15,675	PAID					
High School Roof Repairs	May-1998	\$805,000	Jun-1999	Jun-2009	4.38%	\$104,500	PAID					
Title V - MW PAT TS-97-1027 - R	May-1997	\$85,894	Dec-1999	Aug-2019	(see note)	\$7,759	\$7,519	\$7,305	\$7,056	\$6,794	\$6,530	\$33,216
Storm Water - MW PAT 98-92 (Restructured)	May-1998	\$364,979	Sep-2001	Aug-2019	(see note)	\$36,857	\$36,878	\$34,831	\$34,506	\$33,750	\$32,889	\$192,094
High School HVAC	Nov-2001	\$330,000	May-2003	Nov-2008	2.03%	\$70,744	PAID					
High School Repair	Feb-2001	\$750,000	May-2003	Nov-2009	2.12%	\$128,203	\$75,938	PAID				
Pollard School Modular Classrooms	Nov-2001	\$1,712,000	May-2003	Nov-2010	2.33%	\$235,888	\$299,925	\$228,150	PAID			
Fire Engine	May-2004	\$365,000	Dec-2004	Dec-2008	3.30%	\$66,300	PAID					
Road Improvement Program	May-2001	\$435,000	Dec-2004	Dec-2008	3.39%	\$107,100	PAID					
Road Improvements - Parish Area	May-1999	\$129,000	Dec-2004	Dec-2008	3.82%	\$30,600	PAID					
Road Improvements (Series I)	May-2004	\$400,000	Dec-2004	Dec-2008	3.40%	\$102,000	PAID					
Sidewalk Improvements (Series I)	May-2004	\$115,000	Dec-2004	Dec-2008	3.36%	\$25,500	PAID					
Police Fire Complex Repairs	May-2003	\$400,000	Jun-2005	Jun-2010	3.17%	\$85,200	\$82,600	PAID				
Road & Intersection Improvements	May-2003	\$500,000	Jun-2005	Jun-2010	3.17%	\$106,500	\$103,250	PAID				

TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED

Project	T.M. Vote	Amount Issued	Bond Issued	Final Maturity	Average Rate	2009	2010	2011	2012	2013	2014	After 2014
Ambulance	May-2005	\$120,250	Dec-2005	Feb-2010	3.41%	\$32,025	\$31,013	PAID				
Police Fire Complex Repairs	May-2004	\$110,000	Dec-2005	Feb-2010	3.42%	\$31,688	\$20,675	PAID				
Road Improvements	May-2005	\$468,400	Dec-2005	Feb-2015	3.48%	\$103,923	\$100,716	\$32,510	\$11,460	\$11,110	\$10,750	\$10,380
Road Improvements (Series II)	May-2004	\$485,000	Dec-2005	Feb-2010	3.41%	\$128,100	\$124,050	PAID				
Sidewalk Improvements	May-2005	\$123,300	Dec-2005	Feb-2010	3.42%	\$32,025	\$31,013	PAID				
Sidewalk Improvements (Series II)	May-2004	\$50,000	Dec-2005	Feb-2010	3.43%	\$10,675	\$10,338	PAID				
Public Works Bucket Truck	May-2006	\$122,000	Nov-2006	May-2009	4.28%	\$57,338	PAID					
Roads, Bridges, Sidewalks & Intersections (Series I)	May-2006	\$500,000	Nov-2006	May-2010	4.11%	\$112,250	\$208,000	PAID				
School Technology Replacement	May-2006	\$166,000	Nov-2006	May-2009	4.30%	\$46,913	PAID					
Mitchell School Roof	Nov-2006	\$580,000	Jun-2007	Nov-2011	4.31%	\$132,106	\$127,219	\$122,331	\$117,444	PAID		
Roads, Bridges, Sidewalks & Intersections (Series II)	May-2006	\$340,000	Jun-2007	Nov-2010	4.33%	\$94,031	\$90,419	\$86,806	PAID			
Roads, Bridges, Sidewalks & Intersections	May-2007	\$1,100,000	Dec-2007	Jun-2010	3.31%	\$404,538	\$387,188	PAID				
Ambulance & EMS Reporting System	May-2008	\$160,000	Nov-2008	Aug-2010	3.40%		\$85,300	\$81,400				
Public Services Administrative Building Design	May-2008	\$120,000	Nov-2008	Aug-2010	3.40%		\$63,975	\$61,050				
Hillside & Mitchell Schools Paving Work	May-2008	\$90,000	Nov-2008	Aug-2011	3.46%		\$33,300	\$31,575	\$30,525			
GENERAL FUND DEBT SERVICE - WITHIN THE LEVY LIMIT						\$2,365,910	\$1,919,313	\$685,959	\$200,990	\$51,654	\$50,169	\$235,689

Town of Needham - Debt Service - Appendix A

TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED

Project	T.M. Vote	Amount Issued	Bond Issued	Final Maturity	Average Rate	2009	2010	2011	2012	2013	2014	After 2014

GENERAL FUND DEBT EXCLUDED FROM THE LEVY LIMIT - AUTHORIZED & ISSUED

High School Renovations	May-2000	\$5,350,000	Jun-2001	Jun-2011	4.00%	\$599,200	\$577,800	\$556,400	PAID			
Land Acquisition (Wiswall)	Nov-2000	\$1,930,000	Jun-2001	Jun-2011	4.00%	\$212,800	\$205,200	\$197,600	PAID			
Broadmeadow School	May-2000	\$14,000,000	Nov-2003	Nov-2023	4.09%	\$1,136,100	\$1,111,600	\$1,089,725	\$1,066,100	\$1,040,725	\$1,013,600	\$8,544,200
Library Project (Series I)	May-2003	\$11,000,000	Dec-2004	Dec-2019	3.90%	\$1,178,288	\$1,149,763	\$1,118,181	\$1,084,563	\$1,056,038	\$1,026,494	\$5,470,369
Elliot School	May-2000	\$5,500,000	Jun-2005	Jun-2025	3.82%	\$450,381	\$446,444	\$417,344	\$408,894	\$399,794	\$390,694	\$3,856,531
Library Project (Series II)	May-2003	\$750,000	Dec-2005	Feb-2015	3.59%	\$106,668	\$103,799	\$100,930	\$102,955	\$99,805	\$91,565	\$93,420
High School (Series I)	May-2003	\$10,000,000	Nov-2006	May-2026	4.01%	\$879,700	\$888,450	\$907,250	\$865,875	\$845,250	\$823,250	\$7,854,375
High Rock School - Designs	Nov-2006	\$45,000	Dec-2007	Jun-2012	3.28%	\$16,463	\$10,975	\$10,650	\$10,325	PAID		
High Rock & Pollard School Projects	May-2007	\$600,000	Dec-2007	Jun-2012	3.28%	\$169,500	\$164,625	\$159,750	\$154,875	PAID		
High Rock School - Designs	Nov-2006	\$480,000	Jun-2008	Dec-2026	3.91%	\$47,563	\$41,406	\$40,594	\$39,781	\$38,969	\$38,156	\$409,500
High Rock & Pollard School Projects	May-2007	\$1,120,000	Jun-2008	Dec-2026	3.91%	\$101,050	\$98,575	\$96,625	\$94,675	\$92,725	\$90,775	\$954,000
High School (Series IIA)	May-2003	\$9,000,000	Jun-2008	Dec-2024	3.89%	\$856,875	\$835,013	\$817,788	\$800,563	\$783,338	\$766,113	\$7,098,600
High School (Series IIB)	Feb-2005	\$2,000,000	Jun-2008	Dec-2026	3.91%	\$183,363	\$173,906	\$170,494	\$167,081	\$163,669	\$160,256	\$1,719,900
High Rock & Pollard School Projects (Series III)	May-2007	\$5,000,000	Nov-2008	Aug-2027	4.69%		\$531,291	\$468,625	\$459,350	\$450,075	\$440,800	\$4,922,994
EXCLUDED DEBT						\$5,937,949	\$6,338,846	\$6,151,955	\$5,255,036	\$4,970,386	\$4,841,703	\$40,923,889

RTS FUND DEBT FEE SUPPORTED - AUTHORIZED & ISSUED

RTS Scale Replacement	May-2005	\$56,000	Dec-2005	Feb-2009	3.45%	\$15,506	PAID					
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TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED

TOWN OF NEEDHAM DEBT SERVICE -- SCHEDULE OF AUTHORIZED & ISSUED														
Project	T.M. Vote	Amount Issued	Bond Issued	Final Maturity	Average Rate	2009	2010	2011	2012	2013	2014	After 2014		
Transfer Trailer and Staging Pad	May-2004	\$36,000	Dec-2005	Feb-2009	3.45%	\$10,338	PAID							
Wood Grinder	May-2004	\$157,000	Dec-2005	Feb-2009	3.44%	\$51,688	PAID							
RTS Construction Equipment	May-2007	\$200,000	Dec-2007	Jun-2011	3.30%	\$54,875	\$53,250	\$51,625	PAID					
RTS DEBT SERVICE						\$132,406	\$53,260	\$51,625						
SEWER FUND DEBT SERVICE FEE SUPPORTED -- AUTHORIZED & ISSUED														
West Street Force Sewer Main	May-1998	\$881,800	Jun-1999	Jun-2019	4.83%	\$68,256	\$71,456	\$69,375	\$67,238	\$70,100	\$67,700			\$352,000
West Street Sewer Pump Station	May-1998	\$1,939,000	Jun-1999	Jun-2019	4.83%	\$152,346	\$153,296	\$153,903	\$154,153	\$154,165	\$153,885			\$768,000
Sewer - MWPAT 95-01 (Restructured)	May-1991	\$310,656	Aug-2001	Feb-2015 (see note)		\$32,169	\$32,162	\$32,130	\$32,110	\$32,080	\$32,061			\$32,021
Sewer - MWPAT 97-13 (Restructured)	Oct-1996	\$67,700	Nov-2004	Aug-2018 (see note)		\$6,955	\$6,805	\$6,815	\$6,406	\$6,558	\$6,509			\$31,533
Sewer - MWPAT 97-33 (Restructured)	Oct-1996	\$180,300	Nov-2004	Aug-2018 (see note)		\$18,630	\$18,001	\$18,160	\$17,194	\$17,593	\$17,427			\$83,518
Sewer - MWPAT 97-63 (Restructured 2)	May-1997	\$1,019,778	Nov-2004	Aug-2018 (see note)		\$105,269	\$101,808	\$102,444	\$97,017	\$99,729	\$98,417			\$473,073
Sewer - MWPAT 98-10 (Restructured)	May-1997	\$130,200	Nov-2004	Aug-2018 (see note)		\$13,411	\$12,944	\$13,071	\$12,388	\$12,793	\$12,594			\$60,370
Sewer System Rehab - I/I Work (Series II)	May-2003	\$425,000	Jun-2005	Jun-2014	3.14%	\$53,263	\$46,800	\$45,500	\$44,200	\$42,800	\$41,400			
Sewer Pump Station	May-2005	\$484,550	Dec-2005	Feb-2015	3.59%	\$68,477	\$66,621	\$64,765	\$62,840	\$60,915	\$58,935			\$51,900
Sewer Rehabilitation - Rte 128 Area (Series I)	Nov-2005	\$2,000,000	Jun-2007	Nov-2022	4.35%	\$319,413	\$308,788	\$161,138	\$141,781	\$142,638	\$138,388			\$973,556
Sewer Rehabilitation - Rte 128 Area (Series II)	Nov-2005	\$400,000	Dec-2007	Jun-2009	3.34%	\$206,500	PAID							
SEWER DEBT SERVICE						\$1,044,690	\$818,680	\$667,300	\$635,326	\$639,370	\$627,315			\$2,825,972

Town of Needham - Debt Service - Appendix A

TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED

TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED															
Project		T.M. Vote	Amount Issued	Bond Issued	Final Maturity	Average Rate	2009	2010	2011	2012	2013	2014			
WATER FUND DEBT SERVICE FEE SUPPORTED - AUTHORIZED & ISSUED															
Water Treatment Facility	Nov-1997		\$3,090,000	Jun-1999	Jun-2019	4.83%	\$244,365	\$242,840	\$245,903	\$243,303	\$245,465	\$247,065	\$1,224,750		
Water Treatment Facility	May-1996		\$2,665,000	Jun-1999	Jun-2019	4.83%	\$210,233	\$209,608	\$208,595	\$212,183	\$210,295	\$208,095	\$1,050,750		
Water Systems - Broadmeadow Area	Nov-2000		\$257,304	Jul-2001	Aug-2011	ZERO	\$25,730	\$25,730	\$25,730	\$25,730	PAID				
Water System Improvement	May-2001		\$665,000	May-2003	Nov-2009	2.12%	\$72,369	\$65,813	PAID						
Water System Designs - St. Mary	Nov-2002		\$120,000	Dec-2004	Dec-2008	3.40%	\$30,600	PAID							
Water System Designs - Webster Area (Series I)	Nov-2002		\$85,000	Dec-2004	Dec-2008	3.39%	\$20,400	PAID							
Water System Designs - Warren Area	May-2004		\$50,000	Dec-2005	Feb-2011	3.44%	\$11,025	\$10,688	\$10,350	PAID					
Water System Rehab - Warren Area (Series I)	May-2005		\$413,500	Dec-2005	Feb-2015	3.60%	\$56,558	\$55,039	\$53,520	\$51,945	\$50,370	\$53,750	\$51,900		
Water Treatment Plant Computer System (Series I)	May-2004		\$42,000	Dec-2005	Feb-2009	3.44%	\$15,506	PAID							
Water System Rehab - Warren Area (Series II)	May-2005		\$330,000	Nov-2006	May-2010	4.16%	\$75,775	\$72,800	PAID						
Water System Rehab - Webster Area (Series I)	May-2003		\$788,000	Nov-2006	May-2010	4.16%	\$247,775	\$208,000	PAID						
Water Service Connections (Series I)	May-2006		\$50,000	Jun-2007	Nov-2011	4.31%	\$11,488	\$11,063	\$10,638	\$10,213	PAID				
Water System Rehab - Rte 128 Area (Series I)	May-2006		\$1,500,000	Jun-2007	Nov-2022	4.32%	\$102,300	\$100,600	\$138,050	\$178,694	\$148,913	\$144,663	\$1,170,644		
Water Service Connections (Series II)	May-2006		\$100,000	Dec-2007	Jun-2012	3.28%	\$28,250	\$27,438	\$26,625	\$25,813	PAID				
Water Storage Tank Rehabilitation	May-2007		\$600,000	Dec-2007	Jun-2012	3.28%	\$79,500	\$197,550	\$191,700	\$185,850	PAID				
Water System Design	May-2001		\$25,000	Dec-2007	Jun-2012	3.28%	\$10,813	\$5,488	\$5,325	\$5,163	PAID				

TOWN OF NEEDHAM DEBT SERVICE - SCHEDULE OF AUTHORIZED & ISSUED

Project	T.M. Vote	Amount Issued	Bond Issued	Final Maturity	Average Rate	2009					2014				
						2009	2010	2011	2012	2013	2014	2014	2014	2014	After
Water System Rehab - Webster Area (Series II)	May-2003	\$100,000	Dec-2007	Jun-2012	3.28%	\$28,250	\$27,438	\$26,625	\$25,813	PAID					
Water Treatment Plant Computer System (Series II)	May-2004	\$10,000	Dec-2007	Jun-2009	3.34%	\$5,163	PAID								
Water System Rehabilitation - Rte 128 Area	May-2006	\$230,000	Nov-2008	Aug-2012	3.48%		\$68,788	\$64,900	\$57,888	\$55,963					
WATER DEBT SERVICE						\$1,276,098	\$1,328,879	\$1,007,960	\$1,022,592	\$711,005	\$653,573			\$3,498,044	
TOTAL						\$10,757,054	\$10,458,968	\$8,564,799	\$7,113,944	\$6,372,416	\$6,172,759			\$47,483,594	

Note: Massachusetts Water Pollution Abatement Trust (MWPA1) loans include many communities and multiple loans and are frequently restructured by the Trust. The program provides grants and other financial assistance which in effect results in low or no interest rate loan . Under the program the Town usually pays less than it borrows from the Trust.

DEBT APPENDIX B

Town of Needham - Debt - Appendix B

Open and Authorized Projects and Proposed Projects Financed by Debt

Project	T M Vote	Article	Open or Requested Authorization
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Open General Fund Projects

Public Services Administration Bldg	Oct-08	5	\$5,725,000
Road, Bridges, Sidewalks and Intersection Improvement	May-08	34	\$820,000
Public Safety Building Roof	May-08	36	\$535,000
Hillside & Mitchell School Parking & Play Area Improvements	May-08	38	\$70,000
Street & Traffic Light Improvements	May-08	42	\$105,000
Public Services Administration Bldg (Design)	May-08	33	\$380,000
Ambulance & EMS Reporting System	May-08	37	\$45,000
Municipal Parking Lot Improvements	May-08	41	\$105,000
High Rock and Pollard School Project	May-07	41	\$13,755,000
Mitchell School Roof Repair	Nov-06	12	\$90,000
Ridge Hill Rehabilitation	May-05	31	\$115,000
High School	Feb-05	1	\$6,412,750
Library New Facility	May-03	30	\$42,497
High School	May-03	31	\$1,594,604
Parking Lot Dedham Avenue	Nov-02	14	\$46,500
Pool Repair - Rosemary	May-01	64	\$23,000
Rosemary Pool Complex - Design	May-00	63	\$72,500
TOTAL			\$29,936,851

Proposed General Fund Projects for the 2009 ATM

Roads, Bridges, Sidewalks, and Intersection Improvements	Pending	48	\$875,000
Stormwater Master Plan Drainage	Pending	49	\$200,000
Kendrick Street Bridge Repair Design	Pending	47	\$125,000
TOTAL			\$1,200,000

Town of Needham - Debt - Appendix B

Open and Authorized Projects and Proposed Projects Financed by Debt

Project	T M Vote	Article	Open or Requested Authorization
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Proposed CPA/General Fund Projects for the 2009 ATM

Town Hall	Pending	36	\$11,300,000
TOTAL			\$11,300,000

Open RTS Enterprise Fund Projects

Collection Packer Equipment	May-08	44	\$225,000
RTS Construction Equipment	May-07	43	\$30,000
TOTAL			\$255,000

Proposed RTS Enterprise Fund Projects for the 2009 ATM

RTS Construction Equipment	Pending	53	\$230,000
TOTAL			\$230,000

Open Sewer Enterprise Fund Projects

Sewer Pump Station - Great Plain Ave.	May-08	45	\$770,000
Sewer System Rehabilitation I/I Work	May-07	45	\$1,756,800
Rte 128 Sewer System Improvements	Nov-05	9	\$655,000
Sewer Pump Station - Great Plain Ave.	May-05	49	\$500,000
Sewer System Rehab - I/I Work	May-03	55	\$175,000
Sewer Pump Station Richardson Drive	Nov-02	20	\$500,000
TOTAL			\$4,356,800

Proposed Sewer Enterprise Fund Projects for the 2009 ATM

Sewer Pump Station Design - Reservoir B	Pending	55	\$577,500
TOTAL			\$577,500

Open and Authorized Projects and Proposed Projects Financed by Debt

Project	T M Vote	Article	Open or Requested Authorization
Open Water Enterprise Fund Projects			
Water Main Improvements	May-08	47	\$1,900,000
Water Storage Tank Cleaning & Painting	May-08	48	\$730,000
Water System Improvements (Rte 128 Area)	May-06	71	\$1,270,000
Water Service Connections	May-06	70	\$55,000
Water System Improvements - Warren Street	May-05	54	\$45,000
Water System Designs - Webster	Nov-02	25	\$11,000
Water Pumping Station Design - St. Mary's	Nov-02	26	\$180,000
TOTAL			\$4,191,000
Proposed Water Enterprise Fund Projects for the 2009 ATM			
Water System Improvements	Pending	57	\$1,000,000
TOTAL			\$1,000,000

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, MAY 11, 2009

7:30 P. M.

NEWMAN ELEMENTARY SCHOOL

CENTRAL AVENUE

NEEDHAM

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Newman Elementary School:

MONDAY, THE ELEVENTH DAY OF MAY, 2009

at seven-thirty in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: APPROVE COLLECTIVE BARGAINING AGREEMENT/PUBLIC FACILITIES CUSTODIANS AND TRADES

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Public Facilities Custodial and Trades Union, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2009; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation at Town Meeting

Article Information: At the time of the printing of the warrant, the parties had not reached agreement on this contract.

ARTICLE 2: AMEND GENERAL BY-LAWS/TRENCH SAFETY

To see if the Town will vote, in accordance with M.G.L Chapter 82A, to amend Section 2.2.5 of the General By-laws by inserting a new Section 2.2.5.4:

2.2.5.4 Trench Safety

2.2.5.4.1 The Town Manager is authorized to designate a local permitting authority for issuing trench permits and/or licenses under the regulations promulgated by the Commonwealth of Massachusetts Department of Public Safety and Division of Occupational Safety in accordance with Chapter 82A of the General Laws relative to excavation and trench safety.

2.2.5.4.2 A trench is defined as a subsurface excavation greater than three feet in depth, and is fifteen feet or less between the soil walls as measured from the bottom.

2.2.5.4.3 The Board of Selectmen may, from time to time enact fees to cover the costs of processing said permits and for enforcement thereof.

- 2.2.5.4.4 The Board of Selectmen may, from time to time, and after a public hearing, enact local rules and regulations consistent with Chapter 82A relative to the trench permitting process, the standard and special conditions for issued permits, and the enforcement of issued permits.
- 2.2.5.4.5 The Town may perform temporary repairs to private property if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations issue by the Board of Selectmen in accordance with Section 2.2.5.4.4. Said repairs shall be considered necessary to abate an immediate hazard.

And by inserting a new Subsection B under Section 8.2.2.8 as follows:

- 8.2.2.8
 - B Regulations Regarding Trench Safety Authorized by Section 2.2.5.4.4
 - Enforcement Agent: Director of Public Works
 - Fine Schedule: \$100 per offense,

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Section 2 of Chapter 82A of the General Laws requires cities and towns to designate a board or officer to issue permits for the excavation of trenches on public and privately-owned land and on public ways. Under the law, regulated trenches must be attended, covered, barricaded or backfilled. This article authorizes the Town Manager to designate the local permitting authority, and authorizes the Board of Selectmen to make regulations and set fees for the new permitting process.

ARTICLE 3: APPROPRIATE FOR FACILITY REPAIRS / NEWMAN SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$450,000 for feasibility, design and engineering services related to extraordinary repair of the Newman School located at 1155 Central Avenue and shown as Lot 21 on the Needham Assessors Map numbered 216, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7 or any other enabling authority; that the Town acknowledges that the Massachusetts School Building Authority’s (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any amounts received from the MSBA prior to the issuance of bonds or notes under this vote; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The May 12, 2008 Special Town Meeting appropriated \$650,000 for the installation of a temporary heating/ventilation system in the east wing of the Newman School, and for the development of a feasibility study of possible long-term solutions. The feasibility study was conducted by DRA Architects under the jurisdiction of the Permanent Public Building Committee. That study is now complete.

In February, 2009, the Massachusetts School Building Authority (MSBA) notified the Town that the agency is interested in partnering with the Town to fund the needed repairs. The funding requested under this article will allow for the preparation of sufficient architectural and engineering narrative, diagrams and detail to illustrate the design of the project scope and enable the preparation of a reliable construction cost estimate. Once the Town and the MSBA reach agreement on a project scope and schematic design, the parties will enter into a project funding agreement, with the MSBA providing a portion of the approved project cost.

Completion of the project is contingent upon a successful debt exclusion override and Town Meeting approval of the remaining project costs, both tentatively scheduled for late fall or early winter, 2009.

ARTICLE 4: AMEND FY2009 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted under Article 17 of the 2008 Annual Town Meeting and amended under Article 4 of the October 27, 2008 Special Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
3	Group Health Insurance	8,258,510	To be Determined
4	Retiree Insurance & Insurance Liability Fund	3,702,211	To be Determined
15A	Finance Department Salary & Wages	1,304,013	1,281,513
15B	Finance Department Expenses	760,807	783,307
17A	Planning Department Salary & Wages	197,130	To be Determined
17B	Planning Department Expenses	16,260	To be Determined

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation at Town Meeting

ARTICLE 5: APPROPRIATE TO STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate \$55,000 to the Stabilization Fund, said sum to be transferred from line 9 of the fiscal year 2009 operating budget, or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The intent of this transfer is to reserve funding for the settlement of a collective bargaining agreement between the Town and the custodial and trades employees of the Public Facilities Department. This Agreement is not likely to be completed during fiscal year 2009 due to the Union's decertification of its previous representative (AFSCME). The certification of a representative for the bargaining unit is under the jurisdiction of the Massachusetts Labor Relations Commission. Until a representative for the unit is certified, no Agreement can be made. A transfer out of the stabilization fund will be proposed in fiscal year 2010 once an Agreement is reached.

Municipalities are authorized under M.G.L., Chapter 40, Section 5B to establish stabilization funds. Monies appropriated to the Stabilization Fund remain in the fund and carry forward from one fiscal year to another. The interest earned on the stabilization fund remains with the fund. The money from the Stabilization Fund can be appropriated for any lawful municipal purpose. Appropriations both into and from the fund require a two-thirds majority vote of Town Meeting.

ARTICLE 6: AUTHORIZE AGREEMENT TO ACCEPT STATE HIGHWAY

To see if the Town will vote to authorize the Board of Selectmen to execute an agreement between the Town of Needham and the Commonwealth of Massachusetts Highway Department to allow the Commonwealth to discontinue certain sections of Highland Avenue, which are currently designated as state highways, and thereafter said ways so discontinued shall become Town ways in accordance with Massachusetts General Laws Chapter 81, Section 12, and further to authorize the Board of Selectmen to accept from the Commonwealth of Massachusetts the above roadways “as is” contingent upon acceptance of funds to be expended under the direction of the Town Manager, for the purpose of improving said roadways to Town standards; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town of Needham and the City of Newton have worked together for the past decade to enable the rehabilitation of the Highland Avenue/Needham Street corridor. This roadway is under the jurisdiction of the Commonwealth of Massachusetts, which has provided financial support for the design of the project (currently at the 75% design stage). The two communities have submitted the “turnback” project for funding under the federal stimulus program. It is assumed that the Commonwealth will require that the Town vote to accept the road as a public way prior to receiving the funding. This is a similar process to that which was used to accept State funding for the on-going work on Chestnut Street. Under the proposed motion, the Town would authorize the Board of Selectmen to accept the roadway only if such acceptance is accompanied by funds to rehabilitate the road, or if the Commonwealth rehabilitates the roadway to Needham standards itself. This article allows the Town to participate in any State or Federal funding that may become available over the next few months.

ARTICLE 7: ESTABLISH MINUTEMAN SCHOOL STABILIZATION FUND

To see if the Town will vote to approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, in accordance with M.G.L. Chapter 71, Section 16G1/2; or take any other action relative thereto,

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation at Town Meeting

Article Information: The Minuteman School District proposes to establish a stabilization fund as part of its financial management structure. Town Meeting approval by majority of member communities (9 of 16) is required. The School District’s purpose is to improve flexibility and stability in its long term financial planning. The fund is intended be used to build up cash reserves to handle small and medium-sized capital projects, and to handle emergency capital needs without disrupting the District’s rate structure. The District is not requesting funding at this time.

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 21st day of April 2009.

Daniel P. Matthews, Chairman
John A. Bulian, Vice Chairman
Denise C. Garlick, Clerk
Gerald A. Wasserman
Maurice P. Handel

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

(This page is intentionally left blank.)

**Town Clerk's Office
Needham, MA 02492**

**First Class Mail
U.S. Postage Paid
Needham, MA
Permit No. 58224**

ATTN: SPECIAL TOWN MEETING WARRANT



**FISCAL YEAR 2009
(July 1, 2008 – June 30, 2009)**

**TOWN CLERK'S RECORDS
OF THE**

**STATE PRIMARY
Tuesday, September 16, 2008**

**SPECIAL TOWN MEETING
Monday, October 27, 2008**

**STATE ELECTION
Tuesday, November 4, 2008**

**ANNUAL TOWN ELECTION
Tuesday, April 14, 2009**

**ANNUAL TOWN MEETING
Monday, May 4, 2009**

**SPECIAL TOWN MEETING
Monday, May 11, 2009**



**FISCAL YEAR 2009
(July 1, 2008 – June 30, 2009)**

**TOWN CLERK'S RECORDS
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Monday, May 11, 2009**

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RECORD OF THE STATE PRIMARY**Tuesday, September 16, 2008**

The ballot box returns in the Precincts were as follows:

Pursuant to a Warrant issued by the Selectmen August 2008 the Inhabitants of the Town of Needham qualified to vote at the polling places designated for the several precincts in said Needham on Tuesday, the sixteenth day of September in the year 2008 at seven o'clock in the forenoon for the purpose of nominating State and Country officers. The polls remained open until 8:00 o'clock in the afternoon.

The meeting was called to order and the Wardens of the precincts read the Warrant and the Officer's Return.

The ballot boxes were inspected and found to be empty with the zero report printed. The boxes were then locked and keys delivered to the Police Officers in attendance.

The ballot clerks were sworn to the faithful performance of their duties by their respective Wardens.

The polling places had been designated as follows:

Precinct A - Hillside School - Gymnasium
 Precinct B - Hillside School - Gymnasium
 Precinct C - Newman School - Gymnasium
 Precinct D - Newman School - Gymnasium
 Precinct E - Pollard Middle School - Room 226
 Precinct F - Stephen Palmer Community Room
 Precinct G - Broadmeadow School - Performance center
 Precinct H - Broadmeadow School - Performance Center
 Precinct I - William Mitchell School - Gymnasium
 Precinct J - William Mitchell School - Gymnasium

The polls were opened at seven o'clock in the forenoon and were kept open until eight o'clock in the afternoon.

Cards of instruction and specimen ballots were posted as required by Section 48, Chapter 54 of the General Laws.

<u>PRECINCTS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
7:00 A.M.	0	0	0	0	0
8:00 A.M.	5	16	15	16	11
9:00 A.M.	12	25	34	22	22
10:00 A.M.	17	44	51	37	33
11:00 A.M.	31	80	63	54	42
12:00 NOON	54	98	79	68	59
1:00 P.M.	60	112	91	78	77
2:00 P.M.	68	145	102	95	88
3:00 P.M.	84	158	122	112	96
4:00 P.M.	100	172	139	134	106
5:00 P.M.	115	200	153	151	135
6:00 P.M.	141	218	174	171	148
7:00 P.M.	170	235	205	208	195
8:00 P.M.	182	256	227	233	223

<u>PRECINCTS</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
7:00 A.M.	0	0	0	0	0
8:00 A.M.	23	23	36	33	26
9:00 A.M.	32	39	70	51	44
10:00 A.M.	64	48	105	63	55
11:00 A.M.	91	58	117	77	64
12:00 NOON	114	71	133	100	77
1:00 P.M.	131	82	153	116	87
2:00 P.M.	150	89	169	126	94
3:00 P.M.	162	105	176	137	116
4:00 P.M.	177	113	191	155	136
5:00 P.M.	202	145	217	177	158
6:00 P.M.	234	171	257	207	186
7:00 P.M.	288	200	299	249	214
8:00 P.M.	309	236	341	298	231

The Town Clerk upon receipt of the returns from the several precincts forthwith canvassed the same and announced the official results at 10:15 P.M., September 16, 2008.

The total number of votes cast was as follows:

	Democrat	Republican	Green-Rainbow	Working Families	Total
Precinct A	198	16	0	0	214
Precinct B	233	42	0	0	275
Precinct C	208	28	0	0	236
Precinct D	219	26	0	0	245
Precinct E	214	18	0	0	232
Precinct F	280	34	0	0	314
Precinct G	218	24	0	0	242
Precinct H	313	43	0	0	356
Precinct I	278	24	0	0	302
Precinct J	213	28	0	0	241
TOTAL	2,374	283	0	0	2,657

(Absentee and Hand Counted Ballots are included in the Total Vote)

TOTAL VOTE CAST 2,657

(13.76% of Registered Voters)

The results of the balloting were as follows:

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
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DEMOCRATIC PARTY

Total # of Votes Cast	198	233	208	219	214	280	218	313	278	213	2,374
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SENATOR IN CONGRESS (Vote for One)

John F. Kerry	145	190	159	167	155	210	163	233	228	173	1,823
Edward J. O'Reilly	53	42	48	52	58	66	52	78	47	40	536
Scattered Write-Ins	0	0	0	0	0	1	0	0	1	0	2
Blanks	0	1	1	0	1	3	2	2	2	0	12

REPRESENTATIVE IN CONGRESS (Ninth District) (Vote for One)

Stephen F. Lynch	148	172	146	144	135	184	147	225	188	147	1,636
Scattered Write-Ins	1	1	3	5	1	5	5	0	3	1	25
Blanks	49	60	59	70	78	91	66	88	87	65	713

COUNCILLOR (Second District) (Vote for One)

Kelly A. Timilty	97	132	122	114	121	148	113	193	152	129	1,321
Robert L. Jubinville	70	55	52	55	45	83	66	80	70	53	629
Scattered Write-Ins	1	0	0	0	1	1	0	1	0	0	4
Blanks	30	46	34	50	47	48	39	39	56	31	420

SENATOR IN GENERAL COURT (Norfolk, Bristol & Middlesex District) (Vote for One)

Sara Orozco	141	167	153	145	132	201	145	226	205	150	1,665
Scattered Write-Ins	1	0	2	2	3	0	1	1	0	1	11
Blanks	56	66	53	72	79	79	72	86	73	62	698

REPRESENTATIVE IN GENERAL COURT (Thirteenth Norfolk District) (Vote for One)

Lida E. Harkins	151	179	162	164	156	221	158	219	217	168	1,795
Scattered Write-Ins	5	1	1	2	1	1	5	2	2	4	24
Blanks	42	53	45	53	57	58	55	92	59	41	555

REGISTER OF PROBATE (Norfolk County) (Vote for One)

Patrick W. McDermott	128	155	134	124	103	173	131	201	178	130	1,457
Scattered Write-Ins	0	1	1	2	0	0	0	0	0	3	7
Blanks	70	77	73	93	111	107	87	112	100	80	910

COUNTY TREASURER (Norfolk County) (Vote for One)

Joseph A. Connolly	130	155	136	128	105	169	132	198	179	131	1,463
Scattered Write-Ins	1	0	1	1	1	0	0	1	0	1	6
Blanks	67	78	71	90	108	111	86	114	99	81	905

COUNTY COMMISSIONERS (Norfolk County) (Vote for Not More Than Two)

John M. Gillis	100	116	108	99	88	136	105	154	149	99	1,154
Francis W. O'Brien	129	147	123	119	108	158	123	184	166	119	1,376
Scattered Write-Ins	3	0	3	0	1	0	0	1	0	0	8
Blanks	164	203	182	220	231	266	208	287	241	208	2,210

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
<u>REPUBLICAN PARTY</u>											
Total # of Votes Cast	16	42	28	26	18	34	24	43	24	28	283
<u>SENATOR IN CONGRESS (Vote for One)</u>											
Frey K. Beatty	13	38	21	23	17	28	21	32	19	25	237
attered Write-Ins	1	1	1	1	1	0	0	1	2	0	9
anks	2	3	6	2	0	6	3	10	3	3	38
<u>REPRESENTATIVE IN CONGRESS (Ninth District) (Vote for One)</u>											
Nomination	0	0	0	0	0	0	0	0	0	0	0
attered Write-Ins	0	6	3	3	2	4	4	4	3	6	35
anks	16	36	25	23	16	30	20	39	21	22	248
<u>COUNCILLOR (Second District) (Vote for One)</u>											
Nomination	0	0	0	0	0	0	0	0	0	0	0
attered Write-Ins	0	5	2	3	1	2	4	3	2	5	27
anks	16	37	26	23	17	32	20	40	22	23	256
<u>SENATOR IN GENERAL COURT (Norfolk, Bristol & Middlesex District) (Vote for One)</u>											
ott P. Brown	14	39	26	24	18	31	23	41	23	27	268
attered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
anks	2	3	2	2	0	3	1	2	1	1	17
<u>REPRESENTATIVE IN GENERAL COURT (Thirteenth Norfolk District) (Vote for One)</u>											
Nomination	0	0	0	0	0	0	0	0	0	0	0
attered Write-Ins	0	4	2	1	1	2	4	3	2	5	24
anks	16	38	26	25	17	32	20	40	22	23	259
<u>REGISTER OF PROBATE (Norfolk County) (Vote for One)</u>											
Nomination	0	0	0	0	0	0	0	0	0	0	0
attered Write-Ins	0	5	2	1	2	2	3	2	2	6	25
anks	16	37	26	25	16	32	21	41	22	22	258
<u>COUNTY TREASURER (Norfolk County) (Vote for One)</u>											
Nomination	0	0	0	0	0	0	0	0	0	0	0
attered Write-Ins	0	4	3	1	1	2	3	2	2	6	24
anks	16	38	25	25	17	32	21	41	22	22	259
<u>COUNTY COMMISSIONERS (Norfolk County) (Vote for Not More than Two)</u>											
omas E. Gorman	13	35	21	22	14	25	19	29	18	21	217
Nomination	0	0	0	0	0	0	0	0	0	0	0
attered Write-Ins	0	1	0	0	0	0	0	0	0	0	1
anks	19	48	35	30	22	43	29	57	30	35	348

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
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GREEN-RAINBOW PARTY

Total # of Votes Cast	0	0	0	0	0	0	0	0	0	0	0
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SENATOR IN CONGRESS (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

REPRESENTATIVE IN CONGRESS (Ninth District) (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

COUNCILLOR (Second District) (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

SENATOR IN GENERAL COURT (Norfolk, Bristol & Middlesex District) (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

REPRESENTATIVE IN GENERAL COURT (Thirteenth Norfolk District) (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

REGISTER OF PROBATE (Norfolk County) (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

COUNTY TREASURER (Norfolk County) (Vote for One)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

COUNTY COMMISSIONERS (Norfolk County) (Vote for Not More than Two)

No Nomination	0	0	0	0	0	0	0	0	0	0	0
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Scattered Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	0	0	0	0

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
<u>WORKING FAMILIES PARTY</u>											
Total # of Votes Cast	0	0	0	0	0	0	0	0	0	0	0
<u>SENATOR IN CONGRESS (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>REPRESENTATIVE IN CONGRESS (Ninth District) (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>COUNCILLOR (Second District) (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>SENATOR IN GENERAL COURT (Norfolk, Bristol & Middlesex District) (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>REPRESENTATIVE IN GENERAL COURT (Thirteenth Norfolk District) (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>REGISTER OF PROBATE (Norfolk County) (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>COUNTY TREASURER (Norfolk County) (Vote for One)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0
<u>COUNTY COMMISSIONERS (Norfolk County) (Vote for Not More than Two)</u>											
No Nomination	0	0	0	0	0	0	0	0	0	0	0
No Nomination	0	0	0	0	0	0	0	0	0	0	0
Unsuccessful Write-Ins	0	0	0	0	0	0	0	0	0	0	0
Blank	0	0	0	0	0	0	0	0	0	0	0

The ballots casts in the several precincts were returned to the Town Clerk in the sealed cases. The voting lists used at the entrances to the polling places and at the ballot boxes and copy of the precinct record of the election were also returned, all properly sealed in conformity with the laws governing elections.

Adjourned at 10:15 P.M., September 16, 2008.

Theodora K. Eaton, MMC
Town Clerk

A true copy
ATTEST:

RECORD OF SPECIAL TOWN MEETING**Monday, October 27, 2008**

Pursuant to a Warrant issued by the Selectmen on October 23, 2008 the Inhabitants of the Town of Needham met in Town Affairs met in the Newman Elementary School on Monday, October 27, 2008, at 7:30 o'clock in the evening.

The checkers appointed by the Selectmen were sworn to the faithful performance of their duties by the Town Clerk.

Check lists were used and 219 voters, including 213 Town Meeting Members, were checked on the list as being present.

The Moderator, Michael K. Fee, called the meeting to order at 7:30 o'clock. The call to the meeting and the officer's duties were read by the Town Clerk, the reading of the articles in the warrant being waived upon motion.

The Moderator introduced the First Grade Class at the Newman School who led Town Meeting Members in the Pledge of Allegiance. Town Meeting Members then joined the class in singing "America the Beautiful" and "You're a Grand Old Flag" with their teacher, Marjorie M. Margolis, and accompanied by Millie Bean.

There are over 20 cities and towns from Bristol, Norfolk and Plymouth Counties in the 9th district as well as parts of the City of Boston. We welcome Rep. Stephen Lynch's interest in the Town and its governing body, Town Meeting.

In the 110th Congress, Congressman Lynch serves on the Committee on Financial Services and the Committee on Oversight and Government Reform. Lynch is a member of both the Committee on National Security and Foreign Affairs and the Committee on Federal Workforce, Postal Service and the District of Columbia.

Congressman Lynch is a co-founder of the Congressional Labor and Working Families Caucus, which was formed to protect workers rights and educate Members of Congress on issues that impact American families.

Lynch was recently named co-chair of the Task Force on Terrorism and Proliferation Financing, a bipartisan Congressional committee that monitors the status of national and international efforts to track and stop the flow of funds to terrorist groups and works to strengthen our national antiterrorist finance strategy.

Rep. Lynch addressed Town Meeting advising that he was voting against the bail-out bill. This bill proposed to put the burden of the bill on the backs of the taxpayers and none on those on Wall Street who created this fiasco. He also announced that he had invited two brothers, Andrew and Harrison Maxwell, to the United States Military Academy at West Point. Selectman John A. Bulian stated that the Wall That Heals be brought to the Town of Needham.

The Call to the Meeting and the officer's return were read by the Town Clerk. Upon request by the Moderator unanimous consent was given to waive the reading of the warrant.

The Moderator declared a quorum to be present and adjourned the Town Clerk to so record.

The Moderator stated that Town Meeting Members may only sit in the first ten rows as indicated by the Marshalls and as signified by the pylons. He further noted that there are two microphones which must be used for comments from the floor. Tonight these microphones are being provided to you by Michael Escalante and Omar Dana.

The Moderator announced the following ground rules and these were adopted unanimously:

1. A speaker will be ruled out of order who refers to personalities or in the judgment of the Moderator, exceeds the bounds of civility. Let us remember that we are ONE community and ONE Town Meeting Family with one common goal: the best interests of our town.
2. Please rise to be recognized and address the Moderator. When a member is recognized by the Chair, please state your name and precinct clearly so that the Town Clerk may keep accurate records. If for some reason related to a disability a member cannot rise, shout "Mr. Moderator" or raise your hand high to inform the Chair so that appropriate accommodation may be made.
3. All commentary, remarks and inquiries must be addressed to the Moderator as Chair.
4. Anyone entering or exiting the Hall while we are in session must use care not to disrupt the session, in particular, must not allow the doors to slam.
5. No eating, drinking or smoking is permitted in the hall.
6. No firearms or weapons are permitted in the hall.
7. No hats may be worn except by uniform personnel or for medical reasons.
8. Your attention is drawn to the disclosure required by an attorney employed by one who has an interest in a matter as set forth in Art. I, Sec. 1.9 of the Needham General By-Laws.
9. Blank forms for lengthy motions are available from Town Counsel, Mr. Tobin, and should be employed. If lengthy or complicated motions are not drafted and submitted for review by the Moderator and Town Counsel prior to being placed on the floor, the speaker will yield the floor to another speaker while the drafting and formulation process is underway.
10. Short motions to amend and procedural motions need not be in writing.
11. Parliamentary motions known as "points of information" and "points of order" shall be strictly construed so as not to elongate or permit debate after a motion to move the previous question has been placed on the floor.
12. Limits on debate shall be enforced by the Moderator.
13. Questions asked for general informational purposes unrelated to the matter under consideration by the meeting shall be ruled out of order.
14. As stated in the Moderator's memorandum to Town Meeting Members in connection with our Annual Town Meeting,

inappropriate conduct involving the T.V. cameras shall be dealt with swiftly by the chair and will be deemed to be out of order.

15. Rules concerning budget articles. In keeping with our tradition, I seek your unanimous consent for a rule of procedure and debate for discussion under the budget articles that will be before this Special Town Meeting, Articles 4. That rule would provide that a motion to amend under these articles which adds funds to a particular line item will not be in order unless the movant identifies another line item or items that will be reduced in order to fund the proposed increase.

16. Chapter 39: Section 17. Powers of moderator; preservation of order

Section 17. No person shall address a town meeting without leave of the moderator, and all persons shall, at the request of the moderator, be silent. If a person, after warning from the moderator, persists in disorderly behavior, the moderator may order him to withdraw from the meeting, and, if he does not withdraw, may order a constable or any other person to remove him and confine him in some convenient place until the meeting is adjourned.

17. Unanimous consent was given to adopt the following limits of debate:

15 Minutes - Committee Chairpersons, Proponents, Attorneys representing proponents; subject to extension by the Moderator.

5 Minutes - Town Meeting Members, non-Town Meeting Members, visitors other than attorneys.

Hearing no objection, the Moderator finds unanimous consent that the rules of conduct and procedure concerning debate as described by the Moderator are voted and adopted and the Town Clerk will so record

The Moderator reminded Town Meeting Members of the following amendment to the General By-Laws passed under Article 80 at the 1998 Annual Town Meeting: If two-thirds vote of the Town Meeting is required by statute, a count shall not be taken unless it is deemed necessary by the Moderator in the fulfillment of the duties of the office.

The Moderator announced that the proponents no longer have an interest in Article 3 and 7 and requested unanimous consent to withdraw these articles. Town Meeting Members indicated that there were no objections to the withdrawal of these articles and it was voted unanimously to withdraw Articles 3 and 7.

The Moderator announced that Articles 5 and 6 are subject to motions to amend or other motions from their proponents or for other reasons cannot be passed by unanimous consent.

As in the tradition of the Annual Town Meeting, the Moderator asked unanimous consent to omit the reading of the articles and to refer to them by number only. Any Town Meeting Member who wished to "question" or "debate" should so indicate when the number was called and those articles not so indicated would be adopted by unanimous consent. There was no objection and the Moderator declared this method to be adopted unanimously.

The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 1. Town Meeting Members responded with "question" or "debate" to each of the Articles.

At this time we moved on to Article 1.

ARTICLE 1: AMEND ZONING BY-LAW – MAP CHANGE TO CENTER BUSINESS DISTRICT

To see if the Town will vote to revise the Zoning Map as follows:

Place in the Center Business District all that land now zoned Single Residence B lying northerly of Great Plain Avenue, easterly of Chapel Street, and westerly of Highland Avenue. Said land comprising Parcels 1 and 81 on Town of Needham Assessor's Map No. 51, and being bounded and described as follows:

Beginning at the point of intersection of the centerlines of Great Plain Avenue and Chapel Street; thence running northerly by the centerline of Chapel Street a distance of approximately 406 feet to the end of the 1884 Town Layout of Chapel Street; thence turning and running easterly approximately 190 feet from the centerline of Chapel Street along a line coinciding with the northerly property line of land owned by the Town of Needham to a point at the intersection of said property line and the centerline of Highland Avenue; thence turning and running southerly along the centerline of Highland Avenue to the point of intersection of the centerline of Highland Avenue and the centerline of Great Plain Avenue; thence turning and running westerly along the centerline of Great Plain Avenue to the point of beginning.

Be any of said measurements, more or less.

Or take any other action relative thereto.

Article Information: *The purpose of this article is to facilitate the renovation of the Town Hall. The geographical area between Great Plain Avenue, Chapel Street and Highland Avenue is proposed to be changed from a Single Residence B District to a Center Business District. The Town Hall and Common property are affected by this rezoning. Current setback and dimensional requirements in the Single Residence B district require a minimum front yard setback of 25 feet by right with a waiver by special permit to 20 feet for an institutional use in this district. As the Town hall fronts three separate streets, it effectively has three front yards. Rezoning of the Town Hall and Common Property to the Center Business District will permit a front yard setback of 3 feet or the average of the abutting properties (whichever is smaller) at this locale consist with its abutting Center Business District neighbors.*

MOVED: That the Town vote to revise the Zoning Map as follows:

Place in the Center Business District all that land now zoned Single Residence B lying northerly of Great Plain Avenue, easterly of Chapel Street, and westerly of Highland Avenue. Said land comprising Parcels 1 and 81 on Town of Needham Assessor's Map No. 51, and being bounded and described as follows:

Beginning at the point of intersection of the centerlines of Great Plain Avenue and Chapel Street; thence running northerly by the centerline of Chapel Street a distance of approximately 406 feet to

the end of the 1884 Town Layout of Chapel Street; thence turning and running easterly approximately 190 feet from the centerline of Chapel Street along a line coinciding with the northerly property line of land owned by the Town of Needham to a point at the intersection of said property line and the centerline of Highland Avenue; thence turning and running southerly along the centerline of Highland Avenue to the point of intersection of the centerline of Highland Avenue and the centerline of Great Plain Avenue; thence turning and running westerly along the centerline of Great Plain Avenue to the point of beginning.

le any of said measurements, more or less.

A motion to discuss Articles 1 and 2 together and vote on separately was offered by Mr. John A. Bulian. The motion was presented and carried unanimously by voice vote.

Mr. Bulian, Selectman, advised that the Board of Selectmen unanimously supports these articles.

Mrs. Jeanne S. McKnight, Vice Chairman, addressed her proposal on behalf of the Planning Board. She explained that Article 1 rezones the Town Hall and its common property from Single Residence B to Center Business District of which it is surrounded. Article 2 would by special permit allow the Town Hall to have 3 stories not to exceed 50 feet in height and permit 4 floors to be used as for non-residential occupancy.

Mr. Michael Taggart, member, addressed this proposal on behalf of the Finance Committee. He explained that these articles are the first steps leading to a major project. The Finance Committee unanimously recommends adoption of these articles.

ACTION: The main motion under Article 1 was presented and passed by a two-thirds vote as declared by the Moderator.

ARTICLE 2: AMEND ZONING BY-LAW – STORY, HEIGHT AND OCCUPANCY LIMITATIONS EXCEPTION FOR MUNICIPAL BUILDING IN CENTER BUSINESS DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.4, Dimensional Requirements for Commercial Districts, Subsection 4.4.3 Height Limitation, by adding the following new language at the end of the first paragraph so that it shall read as follows (new language underlined):

“4.4.3 Height Limitation

In a Business District, the limit of height of a building or structure shall be three (3) stories not to exceed forty (40) feet, provided that in no event shall any building contain more than three floors used for occupancy; in the Center Business District, the limit of height of a building or structure shall be two and one-half (2 ½) stories not to exceed thirty-five (35) feet, provided that in no event shall any building contain more than two floors used for non-residential occupancy other than storage, residential occupancy being permitted on the second floor and in the half-story directly above the second floor consistent with the use and density requirements of Section 3.2.2. Notwithstanding the foregoing story, height and occupancy limitations, and subject to all other requirements of the district, the

Planning Board acting as a special permit granting authority may issue a special permit in the Center Business District to permit a municipal building of 3 stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy. Such a special permit may be granted only after it is demonstrated by the applicant that: (i) the proposed increased building height and number of stories will not create a significant detrimental impact on existing buildings and uses in the vicinity; and (ii) the proposed building and its occupancy contributes to, and does not detract from, a pedestrian-friendly streetscape.

Or take any other action relative thereto.

Article Information: This article proposes to amend the section of the Zoning By-Law that limits the story, height and non-residential occupancy limitations of a municipal building in the Center Business District. The amendment is offered by the Board of Selectmen in an effort to guide the planned renovation and expansion of the Needham Town Hall. The amendment would allow the Planning Board, acting as a special permit granting authority, to issue a special permit in the Center Business District to permit a municipal building of three (3) stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet, and to permit four (4) floors of a municipal building to be used for non-residential occupancy. Such a special permit could only be granted after it was demonstrated by the applicant that: (i) the proposed increased building height and number of stories would not create a significant detrimental impact on existing buildings and uses in the vicinity; and (ii) the proposed building and its occupancy contribute to, and do not detract from, a pedestrian-friendly streetscape. Currently in the Center Business District, the height limit of a municipal building is two and one-half (2 ½) stories not to exceed thirty-five (35) feet with a non-residential occupancy limitation of no more than two (2) floors.

MOVED: That the Town vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.4, Dimensional Requirements for Commercial Districts, Subsection 4.4.3 Height Limitation, by adding the following new language at the end of the first paragraph so that it shall read as follows (new language underlined):

“4.4.3 Height Limitation

In a Business District, the limit of height of a building or structure shall be three (3) stories not to exceed forty (40) feet, provided that in no event shall any building contain more than three floors used for occupancy; in the Center Business District, the limit of height of a building or structure shall be two and one-half (2 ½) stories not to exceed thirty-five (35) feet, provided that in no event shall any building contain more than two floors used for non-residential occupancy other than storage, residential occupancy being permitted on the second floor and in the half-story directly above the second floor consistent with the use and density requirements of Section 3.2.2. Notwithstanding the foregoing story, height and occupancy limitations, and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit in the Center

Business District to permit a municipal building of 3 stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy. Such a special permit may be granted only after it is demonstrated by the applicant that: (i) the proposed increased building height and number of stories will not create a significant detrimental impact on existing buildings and uses in the vicinity, and (ii) the proposed building and its occupancy contributes to, and does not detract from, a pedestrian-friendly streetscape.

ACTION: The main motion under Article 2 was presented and passed by two-thirds vote as declared by the Moderator.

ARTICLE 3 was previously withdrawn.

ARTICLE 4: AMEND THE FY2009 OPERATING BUDGET

To see if the Town will vote to Amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted under Article 17 of the 2008 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
10	Reserve Fund	\$ 1,199,851	No Change
20A	Police Department		
	– Salaries	\$ 4,502,553	\$ 4,518,785
24	Needham Public Schools	\$42,651,716	\$42,635,484
28B	Department of Public Facilities		
	Purchase of Services & Expenses	\$ 4,307,460	No Change

or take any other action relative thereto.

Article Information: This article transfers \$16,232 from the Needham Public Schools budget to the Police Department to fund three additional traffic supervisors (crossing guards) that the Public Schools agreed to fund when they eliminated certain bus routes in the FY09 budget. The "No change" lines were originally inserted to fund the ongoing extraordinary maintenance efforts at the Newman School, but these transfers are being deferred until a subsequent Town Meeting when all Newman remediation costs have been tallied.

MOVED: That the Town vote to Amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted under Article 17 of the 2008 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
10	Reserve Fund	\$ 1,199,851	No Change
20A	Police Department		
	– Salaries	\$ 4,502,553	\$ 4,518,785
24	Needham Public Schools	\$42,651,716	\$42,635,484

28B	Department of Public Facilities		
	Purchase of Services & Expenses	\$ 4,307,460	No Change.

Mr. David Escalante, Chairman, addressed this proposal on behalf of the Finance Committee. He explained that this proposal is a housekeeping issue to transfer \$16,232 from the School Department budget to the Police Department budget to fund three additional traffic supervisors. The Finance Committee recommends adoption of this article.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 5: APPROPRIATE FOR PUBLIC SERVICES ADMINISTRATION BUILDING

To see if the Town will vote to raise and/or transfer and appropriate a sum for the architectural design, engineering, construction and equipping of an administration building at the Department of Public Works complex on Dedham Avenue, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44 Section 7; or take any other action relative thereto.

Article Information: The 2008 Annual Town Meeting appropriated \$500,000 for the design of a Public Services Administration building at the DPW complex on Dedham Avenue. The building will house administrative offices for current DPW administrative functions, the Building Department, Planning, Zoning and Conservation, Public Facilities, and Park and Recreation. Under the direction of the PPBC, the Town engaged the services of Winter Street Architects for the design process. Winter Street is completing the schematic designs, and in this article the Selectmen request approval of construction funding.

Construction is planned to begin early this winter, and the building is intended to be completed in time for it to be used as temporary relocation space during the renovation of Town Hall, for a projected savings of approximately \$1 million. Final occupancy for Public Services use is expected in 2011. Additional information is posted on the Town's website at www.needhamm.gov under "Publications" and final cost estimates are to be forwarded to Town Meeting Members prior to October 27th.

MOVED: That the Town vote to raise and/or transfer and appropriate a sum for the architectural design, engineering, construction and equipping of an administration building at the Department of Public Works complex on Dedham Avenue, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44 Section 7.

A motion to amend was offered by Mr. Daniel P. Matthews that the main motion under Article 5 be amended by deleting in the first line the words "a sum" and inserting in place thereof the sum "\$5,725,000".

A second motion to amend was offered by Mr. Daniel P. Matthews that the main motion under Article 5 be amended by adding an emergency preamble as follows: "This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the

At Town Meeting passing this measure shall be immediately operative."

Mr. Daniel P. Matthews, Selectman, addressed this proposal on behalf of the Board of Selectmen. He explained that this article is to fund a new public services administration building. The Permanent Public Building Committee has overseen the project to date. This proposal is part of the Town's Capital Plan and the Board of Selectmen think this design is well thought out. The plan is to coordinate the timing with the Town Hall project in order to create temporary space for town offices during the Town Hall construction and renovation.

Mr. Scott Brightman, member, recommended adoption on behalf of the Finance Committee to be funded by debt under the tax levy. He noted that the cost of this project will cost the taxpayers no additional taxes. He stated that the Finance Committee is confident that the Town will be able to maintain its Triple A rating.

In response to an inquiry from Mrs. Susan Abbott, Mr. Matthews explained that the second floor over the garage area of the existing building will become a storage area in order to avoid offices being exposed to exhaust fumes.

In response to an inquiry from Mrs. Cynthia Conturie, Mr. Matthews advised that the town uses exterior exhausts to help reduce fumes.

In response to an inquiry from Mrs. Leigh Doukas, Mr. Matthews explained that new exterior materials planned for this building is a metal-based material that is used nationwide and is durable and replaceable. The lower level offices in the Town Hall will still be used after renovation.

A motion to amend was offered by Mr. Kevin J. Foley if additional costs are included in the operating budget. Mr. Foley withdrew his motion to amend after Mr. John P. Connelly, Town Meeting Member and Chairman of the Permanent Public Building Committee, advised that \$500,000 was approved at the 2008 Annual Town Meeting for design and the \$5,725,000 under this proposal includes money for furniture, fixtures, equipment and contingencies.

Mr. Matthews' first motion to amend the words "a sum" to the sum "\$5,725,000" was presented and carried unanimously by a 7 voice vote.

Mr. Matthews' second motion to amend to add an emergency preamble was presented and carried unanimously by a 7 voice vote.

ACTION: The main motion, as amended, was presented and carried by two-thirds vote as declared by the Moderator.

MOTED: That the Town vote to raise and/or transfer and appropriate \$5,725,000 for the architectural design, engineering, construction and equipping of an administration building at the Department of Public Works complex on Dedham Avenue, to be built under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44 Section 27B. This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

ARTICLE 6: TOWN HALL HISTORIC PRESERVATION

To see if the Town will vote to approve the concept of renovating and expanding the Town Hall including the

construction of an addition along the full length of the rear exterior wall and the restoration of the second floor hall.

Article Information: The 2008 Annual Town Meeting appropriated \$1,000,000 in CPA funds for the architectural design of the historic preservation and renovation of Town Hall. At Town Meeting, the Board of Selectmen committed to an additional review of the proposed renovation options, and to report back to Town Meeting after also consulting with the Community Preservation Committee and the Finance Committee. The Board sponsored a "Town Hall Summit" in June, 2008 which was well attended and included representatives of a wide variety of boards, committees, civic groups, and the general public. Over the summer, the Board continued to evaluate options, and participated in the Town Hall Study Committee process.

Working with the Permanent Public Building Committee and architects McGinley, Kalsow and Associates (MKA), the staff developed and recommended a proposal referred to as "Alternative 4." This option provides for renovation of Town Hall and includes construction of an addition along the length of the rear wall of the current building. The design is intended to be consistent with the historic nature of the property, allow for a more efficient operation and greater public convenience, provide multiple small and medium-sized meeting spaces for public meetings, preserve historic features, restore the second floor meeting hall, provide flexibility for future growth, and fit within the Town's long-term financial plan.

The total projected cost of the project is estimated at \$18.5 million (including the previously appropriated \$1,000,000 for design), of which approximately 80% may be eligible for Community Preservation funding. The Board of Selectmen voted unanimously to endorse Alternative 4, and have consulted with the CPC and Finance Committee about that endorsement. The Selectmen expect to request CPC and Town Meeting approval of the funding of the construction portion of the project at the 2009 Annual Town Meeting.

MKA has been engaged in design development of portions of the project that are unaffected by the selection of a specific option. Under the present plan, MKA is to proceed from here to full design. Through this warrant article, the Board is seeking an approval in principle by Town Meeting of the Alternative 4 concept. Further information about Alternative 4 is to be provided to Town Meeting Members prior to October 27th and materials are currently available on the Town Website at www.needhamma.gov under "Publications."

MOVED: That the Town vote to approve the concept of renovating and expanding the Town Hall including the construction of an addition along the full length of the rear exterior wall and the restoration of the second floor hall.

A motion to amend was offered by Mr. Paul A. Siegenthaler that the main motion under Article 6 be amended by deleting the words "and expanding the Town Hall including the construction of an addition along the full length of the rear exterior wall and the restoration of the second floor hall..." and inserting in place thereof the words "the Town Hall in a manner similar to the previously disclosed Option 1, which renovates all physical historic features of Town Hall, places temporary office dividers in the renovated second floor, and includes a small addition to house only the necessary stairway, elevator, bathroom and HVAC modifications."

Mr. James G. Healy, Chairman, addressed this proposal on behalf of the Board of Selectmen. He explained that there have been three studies of the renovation and redesign of the Town Hall - the most beautiful of Needham's town buildings and the seat of local government. The 2008 Annual Town Meeting authorized \$1,000,000 of CPC funds for architectural design. There is a wall that is falling down. The access to the basement is a ramp. The services of the building are at the end of their usefulness. Town Meeting asked us to continue to study the use and design of the Town Hall which we did. We came up with three options. The first option had major offices using the first and second floors, restores the second floor hall and uses it as office space in cubicles with no privacy. The next thought was the construction of a small wing. Then the architects came up with an additional wing on the north side of the whole length and included a tower. The major offices are all on the first floor and include five meeting spaces. Option 4 includes the complete restoration of the great hall and there is capacity in our Capital Plan for future projects. Standard & Poor's came out with its bond rating today and Needham continues to have a Triple A rating. Municipal bonds are still a good investment. We plan to come back with construction costs to be funded mostly with Community Preservation Act funds. The Board of Selectmen and the Finance Committee unanimously support this concept.

Mr. Steven Rosenstock, member, recommended adoption of Article 6 on behalf of the Finance Committee. He indicated that the process continues and should provide adequate facilities and accessibility. The plan is financially cost efficient. Town Meeting did not shut the process down but continued the discussion. Option 4 would house more offices on the first floor, supply handicapped meeting spaces, and preserve the building's historical features. The Finance Committee believes this is affordable for the Town and recommended adoption of Article 6.

Mr. Paul A. Siegenthaler, Town Meeting Member and Chairman of the Community Preservation Committee, addressed his motion to amend. He indicated that he values historical preservation, but believes Option 4 is the wrong plan for Town Hall. Option 4 adds only 1,013 square feet, residents will become more reliable working on-line, and MISER predicts a decline in population. He questioned whether the Great Hall would be used and cited tough budgetary times ahead. He asked Town Meeting to vote for his amendment, go back to Option 1 and renovate the Town Hall in a responsible way.

Mrs. Jeanne S. McKnight, Chairman of the Town Hall Committee advocated the restoration of the Great Hall. She explained that this committee met approximately ten times throughout the summer. The Committee studied parking and other towns with Great Halls. The Board of Selectmen listened to the proponents. Option 4 advances the historic preservation of the Town Hall both in appearance and historic function as a place of assembly, adds additional storage space as well as major office space.

Mr. Martin L. B. Walter questioned what has to be done to ensure that funding will be eligible for CPC funding and asked if the Great Hall can accommodate Town Meeting. Mr. Healy noted that the Community Preservation Committee will be given a presentation on the design in January or February, but they can't say what action the committee will take. He stated that the Board of Selectmen will not proceed to Town Meeting in May 2009 if the Community Preservation Committee has not voted favorably. Mr. Healy did explain that Town Hall does not have the space for Town Meeting or the required parking that the Newman School offers.

The Moderator stated that there is no funding in this article. The proponents are seeking affirmation or rejection on the concept of renovating and expanding Town Hall. A majority vote is required on this article.

The following Town Meeting Members rose in support of favorable passage of Article 6: Maurice P. Handel, Sandra Balzer Tobin, Glenn S. Orenstein, and Meredith P. Page.

Mrs. Tobin, member, urged a positive vote on this article on behalf of the Needham Historical Commission.

Mrs. Holly Anne Clarke expressed concern with how the Town Hall project is going to impact the needs of the Newman Elementary School. She suggested that shifting available funds could cost more in overrides and finances are much different now than a month ago. Mr. Healy explained that a Proposition 2 ½ debt exclusion would be required for Newman and the financial climate is taken very seriously by the Board of Selectmen. He further noted that they expect to do quite well with the sale of municipal bonds.

After a brief discussion, a motion to move the previous question was offered by Mr. John F. Milligan. The motion was presented and carried by a two-thirds vote as declared by the Moderator.

The motion to amend was presented, but it failed to pass by voice vote.

ACTION: The main motion was presented and carried by majority vote as declared by the Moderator.

ARTICLE 7 was previously withdrawn

ARTICLE 8: APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate \$46,273 to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

Article Information: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The balance in the fund is as of September 30, 2008 was \$423,889.

MOVED: That the Town vote to raise, and/or transfer and appropriate \$46,273 to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy.

Mr. James G. Healy, Chairman, recommended adoption of this proposal on behalf of the Board of Selectmen.

Ms. Lisa Zappola, Vice Chairman, recommended adoption on behalf of the Finance Committee. She noted that there is a balance in the Capital Improvement Fund of \$470,162.

ACTION: The main motion was presented and carried by a two-thirds vote as declared by the Moderator.

At 10:25 P.M. Mr. James G. Healy on behalf of the
of Selectmen offered the following Resolution:

THE FOLLOWING RESOLUTION

Was offered

In memory of Marjorie Ruth Cohen

WHEREAS: Marjorie Ruth "Marge" (Sakalove) Cohen
settled in Needham with her husband of 39
years Howard S. Cohen, where they raised
their sons Gary and Andrew; and

WHEREAS: Marge Cohen was an active congregant at
Temple Beth Shalom, serving for many years
on the Board of Trustees and as a leader in the
Sisterhood of the Temple. Marge initiated the
connection between the Jewish Literacy
Program and the Mozart School in Roslindale,
where she was recognized for her efforts by a
school award named in her honor. Marge was
chair of the Social Action Committee for
many years at the Temple, worked to foster a
connection between the Temple and the Relay
of Life, and championed the Belle of the Ball
organization by collecting used prom dresses
for needy girls; and

WHEREAS: Marge Cohen was active in civic affairs,
serving as an appointed member of the Cultural
Council (Arts Lottery Council) from 1983
to 1987, and as an elected Town Meeting
Member from 2005 to 2008; and

WHEREAS: Marge Cohen was a tireless advocate for
anyone in need;

IT IS THEREFORE, be it resolved by this body that the
October 27, 2008 Special Town Meeting be dissolved in honor of
many civic and community contributions of Marge Cohen to
Town of Needham.

ADOPTION: The Resolution was presented and carried unanimously
by voice vote.

At 10:25 P.M. a motion to dissolve this Special Town
Meeting was offered by Mr. James G. Healy. The motion was
presented and so voted by unanimous vote.

Theodora K. Eaton, MMC
Town Clerk

True copy
TEST:

RECORD OF THE STATE ELECTION

The ballot box returns in the Precincts were as follows:

Tuesday, November 4, 2008

Pursuant to a Warrant issued by the Selectmen October 14, 2008 the Inhabitants of the Town of Needham qualified to vote in elections met at the polling places designated for the several precincts in said Needham on Tuesday, the fourth day of November in the year 2008 at seven o'clock in the forenoon for the purpose of nominating State and County officers. The polls remained open until 8:00 o'clock in the afternoon.

The meeting was called to order and the Warrant and the Officer's Return were read by the Wardens of the Precincts.

The ballot boxes were inspected and found to be empty and with the zero report printed. The boxes were then locked and the keys delivered to the Police Officers in attendance.

The ballot clerks were sworn to the faithful performance of their duties by their respective Wardens.

The polling places had been designated as follows:

Precinct A - Hillside School - Gymnasium
 Precinct B - Hillside School - Gymnasium
 Precinct C - Newman School - Gymnasium
 Precinct D - Newman School - Gymnasium
 Precinct E - Pollard Middle School - Room 226
 Precinct F - Stephen Palmer Community Room
 Precinct G - Needham Public Library Community Room
 Precinct H - Needham Public Library Community Room
 Precinct I - William Mitchell School - Gymnasium
 Precinct J - William Mitchell School - Gymnasium

The polls were opened at seven o'clock in the forenoon and were kept open until eight o'clock in the afternoon.

Cards of instruction and specimen ballots were posted as required by Section 48, Chapter 54 of the General Laws.

<u>PRECINCTS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
7:00 A.M.	0	0	0	0	0
8:00 A.M.	210	217	180	197	252
9:00 A.M.	340	343	360	327	464
10:00 A.M.	485	520	495	500	621
11:00 A.M.	634	690	640	643	812
12:00 NOON	796	849	820	803	1021
1:00 P.M.	897	960	900	917	1180
2:00 P.M.	986	1066	1025	1050	1261
3:00 P.M.	1084	1142	1125	1136	1356
4:00 P.M.	1189	1267	1250	1242	1444
5:00 P.M.	1306	1360	1375	1387	1545
6:00 P.M.	1424	1499	1462	1476	1637
7:00 P.M.	1548	1624	1592	1587	1770
8:00 P.M.	1579	1666	1625	1631	1827

<u>PRECINCTS</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
7:00 A.M.	0	0	0	0	0
8:00 A.M.	225	0	235	249	205
9:00 A.M.	434	358	401	441	336
10:00 A.M.	583	500	495	620	481
11:00 A.M.	831	772	780	815	638
12:00 NOON	975	857	924	1007	768
1:00 P.M.	1049	940	1004	1142	872
2:00 P.M.	1237	1055	1176	1258	962
3:00 P.M.	1337	1283	1278	1372	1058
4:00 P.M.	1428	1354	1377	1472	1168
5:00 P.M.	1545	1488	1539	1581	1299
6:00 P.M.	1689	1710	1673	1710	1417
7:00 P.M.	1765	1751	1807	1821	1525
8:00 P.M.	1822	1789	1868	1884	1579

The Town Clerk upon receipt of the returns from the several precincts forthwith canvassed the same and announced the official results at 10:10 P.M., November 4, 2008.

The total number of votes cast was as follows:
 (Includes 9 overseas absentee ballots received by tenth day following the election)

	Total
Precinct A	1581
Precinct B	1672
Precinct C	1625
Precinct D	1634
Precinct E	1834
Precinct F	1822
Precinct G	1789
Precinct H	1868
Precinct I	1884
Precinct J	1581

(The absentee ballots are included in the Total Vote)
 (The votes of the additional overseas absentee ballots
 Postmarked by November 4, 2008 and received by
 November 14, 2008 are included on the following pages)

TOTAL VOTE CAST - 17,336
(87.07% of Registered Voters)

The result of the balloting was as follows:

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
Total # of Votes Cast	1588	1676	1630	1636	1841	1829	1794	1869	1888	1585	17,336

ELECTORS FOR PRESIDENT AND VICE PRESIDENT (Vote for One)

Barack Obama and Michelle Obama	3	0	0	1	1	4	3	4	2	0	18
McCain and Alaska Governor Sarah Palin	8	5	5	4	11	5	6	15	9	7	75
McCain and Alaska Governor Sarah Palin	531	602	511	542	622	541	581	668	565	489	5,652
Clinton and Vice President Al Gore	2	2	4	1	3	0	0	1	2	0	15
Clinton and Vice President Al Gore	8	11	8	6	11	10	8	9	10	6	87
Obama and Biden	1012	1045	1082	1071	1175	1253	1181	1156	1286	1070	11,331
Scattered Write-Ins	7	4	6	5	10	10	5	2	7	7	63
Blanks	17	7	14	6	8	6	10	14	7	6	95

SENATOR IN CONGRESS (Vote for One)

John F. Kerry	1042	1055	1062	1078	1185	1234	1169	1182	1278	1067	11,352
Jeffrey K. Beatty	440	525	482	493	557	502	540	594	525	444	5,102
Robert J. Underwood	46	37	34	23	46	37	35	46	26	26	356
Scattered Write-Ins	1	2	2	0	1	0	2	3	2	0	13
Blanks	59	57	50	42	52	56	48	44	57	48	513

REPRESENTATIVE IN CONGRESS (Ninth District) (Vote for One)

Stephen F. Lynch	1161	1125	1128	1141	1270	1311	1276	1331	1379	1133	12,255
Scattered Write-Ins	21	23	19	16	29	17	31	27	16	16	215
Blanks	406	528	483	479	542	501	487	511	493	436	4,866

COUNCILLOR (Second District) (Vote for One)

Kelly A. Timilty	1040	1037	1040	1030	1130	1184	1153	1192	1253	1023	11,082
Scattered Write-Ins	17	11	9	11	15	10	19	16	13	11	132
Blanks	531	628	581	595	696	635	622	661	622	551	6,122

SENATOR IN GENERAL COURT (Norfolk, Bristol & Middlesex District) (Vote for One)

Scott P. Brown	729	825	791	777	910	767	860	908	874	715	8,156
Sara Orozco	741	732	744	762	812	950	843	875	918	798	8,175
Scattered Write-Ins	3	2	2	3	0	0	3	1	1	0	15
Blanks	115	117	93	94	119	112	88	85	95	72	990

REPRESENTATIVE IN GENERAL COURT (Thirteenth Norfolk District) (Vote for One)

Linda E. Harkins	1134	1148	1163	1169	1278	1329	1278	1284	1367	1123	12,273
Scattered Write-Ins	17	13	10	14	19	15	16	23	13	17	157
Blanks	437	515	457	453	544	485	500	562	508	445	4,906

REGISTER OF PROBATE (Norfolk County) (Vote for One)

Patrick W. McDermott	1027	1029	1034	1017	1113	1183	1127	1168	1229	1007	10,934
Scattered Write-Ins	12	11	7	14	8	8	8	10	8	8	94
Blanks	549	636	589	605	720	638	659	691	651	570	6,308

	A	B	C	D	E	F	G	H	I	J	TOTAL
Total # of Votes Cast	1588	1676	1630	1636	1841	1829	1794	1869	1888	1585	17,336
<u>COUNTY TREASURER (Norfolk County) (Vote for One)</u>											
Joseph A. Connolly	1028	1035	1034	1012	1101	1175	1123	1159	1225	1006	10,898
Scattered Write-Ins	18	18	10	9	8	10	17	14	7	10	121
Blanks	542	623	586	615	732	644	654	696	656	569	6,317
<u>COUNTY COMMISSIONERS (Norfolk County) (Vote for Not More Than Two)</u>											
John M. Gillis	651	633	636	613	684	744	681	739	742	643	6,766
Francis W. O'Brien	690	672	664	679	780	823	804	839	840	699	7,490
Thomas E. Gorman	369	471	437	443	496	413	463	519	454	375	4,440
Michael F. Walsh	283	311	328	331	389	347	363	397	402	295	3,446
Scattered Write-Ins	4	4	2	1	1	1	5	2	3	2	25
Blanks	1179	1261	1193	1205	1332	1330	1272	1242	1335	1156	12,505
<u>QUESTION #1 (State Income Tax)</u>											
Yes	464	506	454	474	512	491	457	488	424	428	4,698
No	1055	1082	1135	1126	1272	1284	1273	1339	1425	1115	12,106
Blanks	69	88	41	36	57	54	64	42	39	42	532
<u>QUESTION #2 (Possession of Marijuana)</u>											
Yes	1074	1028	1067	1104	1160	1211	1173	1122	1193	985	11,117
No	459	566	531	505	639	570	575	706	657	556	5,764
Blanks	55	82	32	27	42	48	46	41	38	44	455
<u>QUESTION #3 (Eliminate Dog Racing)</u>											
Yes	904	961	951	987	1115	1075	1011	1079	1153	928	10,164
No	605	634	627	595	653	681	727	732	691	587	6,532
Blanks	79	81	52	54	73	73	56	58	44	70	640
<u>QUESTION #4 (General Override: Operating Expenses for The Public Schools)</u>											
Yes	680	779	852	902	979	917	954	939	1078	820	8,900
No	831	791	716	691	796	828	766	862	763	707	7,751
Blanks	77	106	62	43	66	84	74	68	47	58	685
<u>QUESTION #5 (Non Binding Question)</u>											
Yes	1073	1017	1129	1132	1269	1260	1229	1236	1291	1091	11,727
No	388	489	401	419	457	439	422	512	488	398	4,413
Blanks	127	170	100	85	115	130	143	121	109	96	1,196

The ballots casts in the several precincts were returned to the Town Clerk in the sealed cases. The voting lists used at the entrances to the polling places and at the ballot boxes and copy of the precinct record of the election were also returned, all properly sealed in conformity with the laws governing elections.

Adjourned at 10:10 P.M., November 4, 2008.

Theodora K. Eaton, MMC
Town Clerk

A true copy
ATTEST:

RECORD OF THE ANNUAL TOWN ELECTION**Tuesday April 14, 2009**

Pursuant to a Warrant issued by the Selectmen March 2009, the Inhabitants of the Town of Needham qualified to in elections met at the polling places designated for the several precincts in said Needham on Tuesday, the fourteenth day of April in the year 2009 at forty-five minutes after six o'clock in the forenoon for the purpose of nominating Town Officers and Town Meeting Members. The polls remained open until 8:00 o'clock in the afternoon.

The meeting was called to order and the Wardens of the several precincts read the Warrant and the Officer's Return.

The ballot boxes were inspected and found to be empty with the zero report printed. The boxes were then locked and the keys delivered to the Police Officers in attendance.

The ballot clerks were sworn to the faithful performance of their duties by their respective Wardens.

The polling places had been designated as follows:

Precinct A - Hillside School - Gymnasium
 Precinct B - Hillside School - Gymnasium
 Precinct C - Newman School - Gymnasium
 Precinct D - Newman School - Gymnasium
 Precinct E - Pollard Middle School - Room 226
 Precinct F - Stephen Palmer Community Room
 Precinct G - Broadmeadow School Performance Center
 Precinct H - Broadmeadow School Performance Center
 Precinct I - William Mitchell School - Gymnasium
 Precinct J - William Mitchell School - Gymnasium

The polls were opened at forty-five minutes after six o'clock in the forenoon and were kept open until eight o'clock in the afternoon.

Cards of instruction and specimen ballots were posted as required by Section 48, Chapter 54 of the General Laws.

ARTICLE 1: ANNUAL TOWN ELECTION

To be chosen by ballot the following Town Officers:

One Moderator for One Year;
 Three Town Meeting Members from Precinct A for Three Years;
 Three Town Meeting Members from Precinct B for Three Years;
 One Town Meeting Member from Precinct B for One Year;
 Eight Town Meeting Members from Precinct C for Three Years;
 One Town Meeting Member from Precinct C for One Year;
 Eight Town Meeting Members from Precinct D for Three Years;
 Eight Town Meeting Members from Precinct E for Three Years;
 Eight Town Meeting Members from Precinct F for Three Years;
 Eight Town Meeting Members from Precinct G for Three Years;
 Eight Town Meeting Members from Precinct H for Three Years;
 One Town Meeting Member from Precinct H for Two Years;
 Nine Town Meeting Members from Precinct I for Three Years;
 Eight Town Meeting Members from Precinct J for Three Years;
 One Town Meeting Member from Precinct J for One Year.

Two Members of Park and Recreation Commission for Three Years;
 Eight Town Meeting Members from Precinct A for Three Years;
 Seven Town Meeting Members from Precinct B for Three Years;
 One Town Meeting Member from Precinct B for One Year;
 Eight Town Meeting Members from Precinct C for Three Years;
 One Town Meeting Member from Precinct C for One Year;
 Eight Town Meeting Members from Precinct D for Three Years;
 Eight Town Meeting Members from Precinct E for Three Years;
 Eight Town Meeting Members from Precinct F for Three Years;
 Eight Town Meeting Members from Precinct G for Three Years;
 Eight Town Meeting Members from Precinct H for Three Years;
 One Town Meeting Member from Precinct H for Two Years;
 Nine Town Meeting Members from Precinct I for Three Years;
 Eight Town Meeting Members from Precinct J for Three Years;
 One Town Meeting Member from Precinct J for One Year.

The ballot box returns in the Precincts were as follows:

<u>PRECINCTS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
6:45 A.M.	0	0	0	0	0
7:00 A.M.	8	3	12	4	3
8:00 A.M.	15	27	42	32	30
9:00 A.M.	28	59	92	63	76
10:00 A.M.	67	98	128	93	106
11:00 A.M.	85	117	157	120	130
12:00 NOON	120	149	181	153	175
1:00 P.M.	127	179	206	171	198
2:00 P.M.	147	211	243	199	226
3:00 P.M.	160	238	281	237	257
4:00 P.M.	184	258	308	264	288
5:00 P.M.	220	292	347	298	337
6:00 P.M.	240	324	381	342	380
7:00 P.M.	267	355	436	386	436
8:00 P.M.	291	391	477	417	481

<u>PRECINCTS</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
6:45 A.M.	0	0	0	0	0
7:00 A.M.	2	5	19	10	7
8:00 A.M.	34	36	49	49	37
9:00 A.M.	60	68	104	97	61
10:00 A.M.	100	87	143	130	87
11:00 A.M.	149	119	190	152	123
12:00 NOON	181	157	247	187	150
1:00 P.M.	214	177	277	224	169
2:00 P.M.	245	196	337	257	191
3:00 P.M.	260	229	350	295	216
4:00 P.M.	330	260	389	333	247
5:00 P.M.	377	306	450	381	286
6:00 P.M.	417	364	472	447	333
7:00 P.M.	473	423	545	505	362
8:00 P.M.	509	470	613	546	398

The Town Clerk upon receipt of the returns from the several precincts forthwith canvassed the same and announced the official results at 10:15 P.M., April 14, 2009.

The total number of votes cast was as follows:

	Total
Precinct A	291
Precinct B	391
Precinct C	477
Precinct D	419
Precinct E	481
Precinct F	509
Precinct G	470
Precinct H	613
Precinct I	546
Precinct J	398

TOTAL 4,595

(The absentee ballots are included in the Total Vote as well as the two hand counts in Precinct D not recorded with the ballot box counts)

**TOTAL VOTE CAST –
(22.50% of Registered Voters)**

The result of the balloting was as follows:

TOWN OFFICES

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
Total # of Votes Cast	291	391	477	419	481	509	470	613	546	398	4,595

MODERATOR (for one year) (Vote for One)

Michael K. Fee	208	271	334	278	327	354	337	401	377	279	3,166
Scattered Write-Ins	1	3	2	4	2	1	2	2	3	4	24
Blanks	82	117	141	137	152	154	131	210	166	115	1,405

SELECTMAN (for three years) (Vote for Not More Than Two)

John A. Bulian	163	186	236	208	222	263	250	347	280	220	2,375
Matthew D. Borrelli	133	185	167	128	180	199	185	269	193	162	1,801
Scott M. Brightman	108	120	250	197	200	162	133	181	200	142	1,693
Maurice Handel	93	156	156	150	216	250	238	252	272	182	1,963
Scattered Write-Ins	0	1	1	2	0	2	0	2	1	0	9
Blanks	85	134	144	153	144	142	134	175	146	90	1,347

ASSESSOR (for three years) (Vote for One)

Damon J. Borrelli	205	264	304	254	249	321	283	354	318	244	2,796
Scattered Write-Ins	1	2	1	1	0	1	0	1	1	0	8
Blanks	85	125	172	164	232	187	187	258	227	154	1,791

SCHOOL COMMITTEE (for three years) (Vote for Not More Than Two)

Heidi C. Black	183	222	292	264	247	285	270	312	314	238	2,627
William J. Paulson	172	205	280	231	247	284	262	320	297	233	2,531
Scattered Write-Ins	1	4	2	1	0	1	8	2	3	2	24
Blanks	226	351	380	342	468	448	400	592	478	323	4,008

TOWN OFFICES

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
# of Votes Cast	291	391	477	419	481	509	470	613	546	398	4,595
tee of Memorial Park – Trustee of Soldiers' Memorials – veteran (for three years) (Vote for One)											
Sockol	193	224	291	226	269	308	279	393	340	265	2,788
ard G. Moses	60	94	102	111	113	116	93	101	90	74	954
tered Write-Ins	0	1	1	0	0	0	0	2	0	1	5
ks	38	72	82	82	99	85	98	117	116	58	847
tee of Memorial Park – Trustee of Soldiers' Memorials – non-veteran (for three years)(Vote for One)											
id C. DiCicco	202	250	302	252	263	320	285	351	329	254	2,808
tered Write-Ins	0	2	1	1	0	0	2	1	1	0	8
ks	89	139	174	166	218	189	183	261	216	144	1,779
tee of Needham Public Library (for three years) (Vote for Not More Than Two)											
garet Leslie Pantridge	182	241	298	255	255	318	291	346	340	259	2,785
gory John Shesko	172	215	258	235	243	288	278	313	319	243	2,564
tered Write-Ins	3	3	1	0	0	1	0	1	0	0	9
ks	225	323	397	348	464	411	371	566	433	294	3,832
rd of Health (for three years) (Vote for One)											
r Stephen Connolly	191	236	294	247	252	317	289	360	350	250	2,786
tered Write-Ins	0	2	0	0	2	0	2	0	1	0	7
ks	100	153	183	172	227	192	179	253	195	148	1,802
rd of Health (for one year) (Vote for One)											
hen K. Epstein	194	238	289	237	240	312	272	332	328	256	2,698
tered Write-Ins	0	1	1	0	0	1	0	1	0	1	5
ks	97	152	187	182	241	196	198	280	218	141	1,892
nning Board (for five years) (Vote for One)											
me S. McKnight	192	237	292	240	251	315	281	333	320	255	2,716
tered Write-Ins	0	2	1	0	0	3	0	2	0	1	9
ks	99	152	184	179	230	191	189	278	226	142	1,870
edham Housing Authority (for five years) (Vote for One)											
te-In:											
ryl Gosmon	4	0	5	5	5	1	2	0	6	4	32
tered Write-Ins	8	13	20	14	11	11	15	28	14	10	139
ks	279	378	457	400	465	497	453	585	526	384	4,424
edham Housing Authority (for one year) (Vote for One)											
er J. Pingitore	186	225	285	232	229	294	263	314	316	237	2,581
tered Write-Ins	1	1	0	2	3	0	0	2	1	0	10
ks	104	165	192	185	249	215	207	297	229	161	2,004
mmissioner of Trust Funds (for three years) (Vote for One)											
ert P. Mearls	182	223	272	235	230	297	268	310	299	238	2,554
tered Write-Ins	0	2	0	0	0	0	0	2	0	0	4
ks	109	166	205	184	251	212	202	301	247	160	2,037

TOWN OFFICES

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>TOTAL</u>
Total # of Votes Cast	291	391	477	419	481	509	470	613	546	398	4,595
Park & Recreation Commission (for three years) (Vote for Not More Than Two)											
Brian S. Nadler	173	236	306	238	244	327	269	338	307	244	2,682
Thomas M. Jacob	143	209	243	185	203	231	219	279	260	205	2,177
Sam Bass Warner	92	116	137	169	217	184	178	185	180	157	1,615
Scattered Write-Ins	1	0	1	0	1	2	0	0	2	1	8
Blanks	173	221	267	246	297	274	274	424	343	189	2,708

TOWN MEETING MEMBERS

* Not Elected

PRECINCT A (For three years)(Vote for Not More Than Eight)

Erik J. Bailey	178	Mary E. Keane-Hazzard	179
Scott D. Butchart	179	Norman F. O'Brien, Jr.	170
Cheryl Gosmon	173	Nicholas P. Sterling	167
Walter D. Herrick	162	Scattered Write-Ins	2
Leslie A. Kalish	186		

Precinct B (For three years)(Vote for Not More Than Seven)

Damon J. Borrelli	244	Kevin T. Pendergast	201
John J. Frankenthaler	211	Steven Rosenstock	204
David C. Harris	207	Thomas J. Jacob	235
Mindy A. Merow Rubin	218	Scattered Write-Ins	2

PRECINCT B (For one year)(Vote for One)

James G. Healy	264	Scattered Write-Ins	2
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PRECINCT C (For three years) (Vote for Not More Than Eight)

Russell S. Broad, Jr.	246	Paul B. Tillotson	262
John H. Haslip	226	Lisa W. Zappala	252
Louise L. Miller	260	Write-In:	
Sheila G. Pransky	255	Sharyn Areano Greenstein	5
Debra Mann Schmill	247	Scattered Write-Ins	19

PRECINCT C (For one year) (Vote for One)

Write-In:			
Andrew D. Gluesing	8	Scattered Write-Ins	10

PRECINCT D (For three years) (Vote for Not More Than Eight)

Holly Anne Clarke	244	Christopher R. Dollase	220
Cynthia Conturie	203	Madeline Ann Wolfeld	227
David R. Cox	247	Richard S. Mann	27
Aaron M. Pressman	218	* Barry J. Coffman	26
David J. Sexton	224	Scattered Write-Ins	33

TOWN MEETING MEMBERS

Not Elected

PRECINCT E (For three years) (Vote for Not More Than Eight)

Michelle S. Ardini	193	Paul A. Siegenthaler	190
Theodore M. Crowell	191	* Martin L. B. Walter	180
Frederic R. Cummings	212	Kurt M. Mullen	211
Michael J. Durda	190	Ford H. Peckham	211
Philip V. Robey	252	Scattered Write-Ins:	2

PRECINCT F (For three years) (Vote for Not More Than Eight)

Richard M. Freedberg	265	Brian S. Nadler	303
Frederic D. Heller	252	William J. Okerman	258
Michael J. Kumin	242	Matthew D. Borrelli	334
Michael McKay	265	Alexander R. Garlick	284
		Scattered Write-Ins:	3

PRECINCT G (For three years) (Vote for Not More Than Eight)

Michael H. Attridge	258	Peter B. Smulowitz	229
William F. Connors	254	Write-Ins: (Tie Vote)	
Michael J. Crawford	258	John M. Rooney	3
Michaela C. Freedman	247	Charlotte B. Sidell	3
Thomas M. Harkins	298	Patrick W. Tacelli	3
Robert W. Beacham, Jr.	252	Scattered Write-Ins	20

PRECINCT H (For three years) (Vote for Not More Than Eight)

Michaela Satti Cosentino	250	* Arthur P. Phillips	177
Patricia Cruickshank	312	Lois F. Sockol	311
Michael A. Diener	191	Paul M. Gordon	193
William J. Foley	251	* Cliff London	192
Elizabeth P. Handler	304	* Maurice L. Medoff	105
Frederic Kristeller	199	Harmony H. Wu	205
		Scattered Write-Ins:	5

PRECINCT H (For two years) (Vote for One)

David G. Blackburn	137	Joan S. Smith	235
		Scattered Write-Ins:	2

PRECINCT I (For three years) (Vote for Not More Than Nine)

Robert J. Pingitore	282	* Claire Dee Ecsedy	218
Michelle Ann Renzulli	291	Joel S. Golden	273
Thomas S. Renzulli	247	Wallace W. Johnston	263
William V. Riley	308	Stephen C. Kagan	282
Edward C. Seraydar	264	Scattered Write-Ins:	3
William M. Becker	284		

TOWN MEETING MEMBERS

* Not Elected

PRECINCT J (For three years) (Vote for Not More Eight)

James S. Bonasia	229	Michael M. Mathias	200
Stuart B. Chandler	227	Jane B. Murphy	201
George C. Doukas	218	* Jonathan M. Cohan	151
Caroline B. Edge	197	Anne M. Murphy	234
Marcia C. Mather	219	Scattered Write-Ins:	3

PRECINCT J (For one year) (Vote for One)

Sara Orozco	264	Scattered Write-Ins:	1
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The ballots cast in the several precincts were returned to the Town Clerk in the sealed containers. The voting lists used at the entrance the polling place and at the ballot boxes and a copy of the precinct record of the election were also returned, all properly sealed in conformity with the laws governing elections.

Adjourned at 10:15 P.M., April 14, 2009

Theodora K. Eaton, MN
Town Clerk

A true copy
ATTEST:

ELECTION
(To break Tie Votes in Precinct G
for Write-In Candidates for a Three-Year Term)
Tuesday, April 21, 2009
8:00 P.M.

In accordance with Section 9, Chapter 403 of the Acts of 1971 (Town Charter), a meeting of the Town Meeting Members from Precinct B was held on Tuesday, April 21, 2009 at 8:00 P.M. for the purpose of electing one of three write-in candidates receiving tie votes to fill the vacancy in the elected membership of Town Meeting Members in Precinct G for a three-year term. The ballots were cast with the following results:

John M. Rooney	4	Votes
Charlotte B. Sidell	6	Votes
Patrick W. Tacelli	1	Votes

RECORD OF ANNUAL TOWN MEETING**Monday, May 4, 2009**

Pursuant to a Warrant issued by the Selectmen February 2009 the Inhabitants of the Town of Needham qualified to vote. Town Affairs met in the Newman Elementary School on Monday, May 4, 2009, at 7:30 o'clock in the afternoon.

The checkers appointed by the Selectmen were sworn to the faithful performance of their duties by the Town Clerk.

Check lists were used and 223 voters, including 217 Town Meeting Members, were checked on the list as being present.

The Moderator, Michael K. Fee, called the meeting to order at 7:30 o'clock. The Moderator led Town Meeting Members in the Pledge of Allegiance.

Caroline B. Edge, Pastor, Carter Memorial United Methodist Church and Town Meeting Member from Precinct J, led the invocation.

The Town Meeting Members were sworn to the faithful performance of their duties by the Town Clerk.

The call to the meeting and the officer's return were waived by the Town Clerk, the reading of the articles in the Warrant was waived upon motion.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

The Moderator stated that Town Meeting Members may sit in the first ten (eleven) rows as indicated by the Marshalls as signified by the pylons. He further noted that there are two microphones which must be used for comments from the floor. Eight of these microphones are being provided to you by Michael Malante and Mike Berger.

The Moderator announced the following ground rules which were adopted unanimously:

Please rise to be recognized and address the Moderator. When a member is recognized by the Chair, please state your name and precinct clearly so that the Town Clerk may keep accurate records. If for some reason related to a disability a member cannot rise, shout "Mr. Moderator" or raise your hand.

A member must inform the Chair so that appropriate accommodations may be made.

Anyone entering or exiting the hall while we are in session must use care not to disrupt the session and in particular, must not slam the doors.

No eating, drinking or smoking is permitted in the hall.

No firearms or weapons may be brought into the hall.

No hats in the hall may be worn except by uniform personnel or for medical reasons.

Members and attendees must observe our rules of civility and decorum. A speaker will be ruled out of order who is disrespectful to individuals or personalities or in the judgment of the Moderator, exceeds the bounds of civility. Please remember that

we are ONE community and ONE Town Meeting Family with one common goal: the best interests of our town.

7. All commentary, remarks and inquiries must be addressed to the Moderator as Chair.

8. Your attention is drawn to the disclosure required by an attorney employed by one who has an interest in a matter as set forth in Art. I, Sec. 1.9 of the Needham General By-Laws.

9. Blank forms for lengthy motions are available from Town Counsel, Mr. Tobin, and should be employed. If lengthy or complicated motions are not drafted and submitted for review by the Moderator and Town Counsel prior to being placed on the floor, the speaker will yield the floor to another speaker while the drafting and formulation process is underway.

10. Short motions to amend and procedural motions need not be in writing.

11. Parliamentary motions known as "points of information" and "points of order" shall be strictly construed so as not to elongate or permit debate after a motion to move the previous question has been placed on the floor.

12. Limits on debate shall be enforced by the Moderator.

13. Questions asked for general informational purposes unrelated to the matter under consideration by the meeting shall be ruled out of order.

14. As stated in the Moderator's memorandum to Town Meeting Members in connection with our Annual Town Meeting, inappropriate conduct involving the T.V. cameras shall be dealt with swiftly by the chair and will be deemed to be out of order.

15. Unanimous consent was given to adopt the following limits of debate:

Committee Chairpersons, Proponents, Attorneys representing proponents – 15 Minutes.

Town Meeting Members, non-Town Meeting Members, visitors other than attorneys – 5 Minutes in total per article.

Rules concerning budget and Cash Capital Articles

In keeping with our tradition, the Moderator sought consent for a rule of procedure and debate for discussion under Article 28, the Fiscal Year 2009 Operating Budget, as well as under Articles 29, 30, and 31, the enterprise fund budgets. That rule would provide that a motion to amend under these articles which adds funds to a particular line item will not be in order unless the moving party identifies another line item or items that will be reduced in order to fund the proposed increase.

For the third year in a row, we are, under Article 45, addressing the requested funding for 18 distinct capital items under one main motion. The Moderator sought unanimous consent for the same rule of procedure we have employed with our budget articles and motions. This rule would provide that a motion to amend one of the items within Article 32 will be out of order unless the moving party identifies an item or items within that same Article 32 that will be reduced to fund the increase.

At this time, Town Meeting Member Terence P. Noonan rose in opposition to the proposal for unanimous consent under the Rules concerning budget and cash capital articles in which an increase in one line item of the budget be offset by a decrease in another line item or funding source.

The adoption of the Rules concerning budget and Cash Capital Articles was presented and passed by majority vote as declared by the Moderator.

Hearing no objection, the Moderator finds by majority vote that the remaining rules of practice concerning debate and rules of procedure as described by the Moderator are voted and adopted and the Town Clerk will so record.

The Moderator reminded Town Meeting Members of the following amendment to the General By-Laws passed under Article 80 at the 1998 Annual Town Meeting: If two-thirds vote of the Town Meeting is required by statute, a count shall not be taken unless it is deemed necessary by the Moderator in the fulfillment of the duties of the office.

The Moderator announced that the proponents no longer have an interest in Articles 11, 12, 21, 27, 34, 37, 42, 57, 58 and 59 and requested unanimous consent to withdraw these articles. Town Meeting Members indicated that there were no objections to the withdrawal of these articles and it was voted unanimously to withdraw Articles 11, 12, 21, 27, 34, 37, 42, 57, 58 and 59.

The Moderator announced that Articles 18, 20, 24, 25, 28, 43, 45, 50, and 56 are subject to motions to amend or other motions from their proponents or for other reasons cannot be passed by unanimous consent.

As in the tradition of the Annual Town Meeting, the Moderator asked unanimous consent to omit the reading of the articles and to refer to them by number only. Any Town Meeting Member who wished to "question" or "debate" should so indicate when the number was called and those articles not so indicated would be adopted by unanimous consent. There was no objection and the Moderator declared this method to be adopted unanimously.

The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 3. No Town Meeting Members responded with "question" or "debate" to Articles 10, 13, 14, 22, 23, 26, 32, 33, 48, 54 and 55. The Moderator then called each of the above-mentioned articles by number and no objection was heard to adoption by unanimous consent. It was so unanimously voted and the Town Clerk was requested to so record. As a result thereof, said articles and the votes thereunder are as follows:

ARTICLE 10: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2009, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$66,079
Town Clerk with 6 years of service in that position	\$78,924 (1)
Selectmen, Chairman	\$1,800
Selectmen, Others	\$1,500

- (1) In addition, the Town Clerk's compensation shall also include payment of longevity in the amount of \$3,947; the accumulation of 15 days of non-occupational sick leave per fiscal year; and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L., Chapter 32, in an amount not to exceed \$36,064. The annual salary of \$78,924 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$7,969. At the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$11,156; or take any other action relative thereto.

Article Information: In accordance with MGL Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April, and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits as close to that of other full-time employees as possible. Payment for longevity, as well as buy-back of sick leave and vacation at the time of separation from Town service, is now included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000, such payment to be made at the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

MOVED: That the Town vote to fix the compensation of the following elected officers of the Town as of July 1, 2009, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$66,079
Town Clerk with 6 years of service in that position	\$78,924 (1)
Selectmen, Chairman	\$1,800
Selectmen, Others	\$1,500

- (1) In addition, the Town Clerk's compensation shall also include payment of longevity in the amount of \$3,947; the accumulation of 15 days of non-occupational sick leave per fiscal year; and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L., Chapter 32, in an amount not to exceed \$36,064. The annual salary of \$78,924 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$7,969. At the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$11,156; or take any other action relative thereto.

ACTION : So voted by unanimous vote.

ARTICLE 13: ACCEPT PROVISIONS OF M.G.L., CHAPTER 59, SECTION 5 (41C)

To see if the Town will vote to accept the provisions of M.G.L., Chapter 59, Section 5, Clause 41C, to increase income limits of the real estate tax exemption provided therein, from \$10,000 to \$20,000, if single and from \$15,000 to \$30,000, if married; and further to increase the whole estate limits from \$10,000 to \$40,000, if single and from \$30,000 to \$55,000, if married; and to lower the age eligibility from 70 to 65; or take any other action relative thereto.

Article Information: Massachusetts General Law by local option allows the Town to increase the allowable limits for income and assets, and to lower the qualifying age for certain property tax exemptions. This local option acceptance article will increase the allowable gross annual receipts (all sources of income including earned income, social security, and pensions) to the maximum allowed under current law which is not more than \$10,000 for a qualifying single taxpayer and not more than \$15,000 for a qualifying married couple. The local option also increases the asset limit (exclusive of the home) for a single person to \$40,000 and to \$55,000 for a married couple. This article also seeks to reduce the qualifying age from 70 to 65. Many of the surrounding communities (Dedham, Natick, Newton, Wellesley, and Westwood) have increased these income and asset limits. A qualifying senior would be eligible for a property tax exemption of \$870. Should Town Meeting approve Article 23 this exemption may be as high as \$890 beginning July 1, 2009.

MOVED: That the Town vote to accept the provisions of M.G.L., Chapter 59, Section 5, Clause 41C, to increase income limits of the real estate tax exemption provided therein, from \$13,000 to \$20,000, if single and from \$15,000 to \$30,000, if married; and further to increase the whole estate limits from \$28,000 to \$40,000, if single and from \$30,000 to \$55,000, if married; and to lower the age eligibility from 70 to 65.

ACTION : So voted by unanimous vote.

ARTICLE 14: ACCEPT PROVISIONS OF M.G.L., CHAPTER 59, SECTION 5 (41A)

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under M.G.L., Chapter 59, Section 5, Clause 41A from \$40,000 to 100% of the amount established annually by the Commissioner of Revenue under M.G.L., Chapter 62, Section 6(k) as income limit for single seniors who are not heads of households to qualify for the "circuit breaker" state income tax credit for the preceding state tax year, with such increases to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2009; or take any other action relative thereto.

Article Information: Chapter 182 section 14 of the Acts of 2008 allows the Town to increase the amount of gross receipts that seniors may have in order to qualify for a property tax deferral. Massachusetts General Law provides for qualifying seniors who are 65 years or older by July 1 to defer payment on all or part of their property tax liability by filing an application with the Board of Assessors. This is not automatic. Qualifying seniors who wish to defer property taxes must file an application each year on or

before December 15 or three months after the actual tax bill for the fiscal year has been mailed, whichever is later; for Needham this usually means March. Property taxes that were deferred prior to July 1, 2008 are charged interest at an annual rate of 8%; interest accrues at 4% on property taxes deferred after July 1, 2008. This interest rate reduction was approved by Town Meeting under Article 8 of the 2008 Annual Town Meeting. Under the present property tax deferral program, a qualifying senior may not have gross receipts in the previous calendar year of more than \$40,000. Adoption of this article will increase the annual gross receipts limit that an otherwise qualifying person may have in order to defer property taxes by the amount established under M.G.L., Chapter 62, Section 6(k) for the "Circuit Breaker" state income tax credit program. The Commissioner of Revenue annually adjusts the limits, based on changes in cost of living indices, and releases the revised amounts in the fall. The Commissioner's gross receipts limit for 2008 tax year is \$49,000. This would be the maximum gross receipts limit for property tax deferrals beginning in FY2010.

MOVED: That the Town vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under M.G.L., Chapter 59, Section 5, Clause 41A from \$40,000 to 100% of the amount established annually by the Commissioner of Revenue under M.G.L., Chapter 62, Section 6(k) as income limit for single seniors who are not heads of households to qualify for the "circuit breaker" state income tax credit for the preceding state tax year, with such increases to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2009.

ACTION : So voted by unanimous vote.

ARTICLE 22: TRANSFER OF BUDGETARY FUND BALANCE

To see if the Town will vote to transfer \$3,145,416 from the Budgetary Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in its computation of the tax rate for the fiscal year 2010; or take any other action relative thereto.

Article Information: Budgetary fund balance (free cash) is the result of unexpended appropriations and revenue in excess of estimates from fiscal year 2008.

MOVED: That the Town vote to transfer \$3,145,416 from the Budgetary Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in its computation of the tax rate for the fiscal year 2010.

ACTION: So voted by unanimous vote.

ARTICLE 23: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986

To see if the Town will vote to accept, for fiscal year 2010, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of

78% for each eligible exemption; or take any other action relative thereto.

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2009 the cumulative increase above the statutory limit was 74%.

MOVED: That the Town vote to accept, for fiscal year 2010, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 78% for each eligible exemption.

ACTION: So voted by unanimous vote.

ARTICLE 26: APPROPRIATE FOR COMPENSATED ABSENCES FUND

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the purpose of funding compensated absences provided by personnel policy or collective bargaining agreement, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

Article Information: The purpose of this article is to fund the Town's employee sick leave and, in some cases, vacation liability. Upon retirement, certain employees are compensated for a portion of their unused sick leave. All employees are entitled to payment of unused vacation leave upon termination of Town service.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$25,000 for the purpose of funding compensated absences provided by personnel policy or collective bargaining agreement, said sum to be spent under the direction of the Town Manager and raised from the tax levy.

ACTION: So voted by unanimous vote.

ARTICLE 32: CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L., Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2009:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY2010 Budget
School Busing	School Committee	Fee Based Busing Program Receipts	Transportation of students to and from School	\$625,000
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000
Human Rights Committee Invest. Account	Town Manager	MCAD	Costs related to the Investigation of MCAD Complaints	\$2,000
Senior Center Activities	Council on Aging Director	Program Receipts	Costs related to social programs for elderly	\$1,000
Youth Services Activities	Youth Commission Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000

take any other action relative thereto.

Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.

MOVED: That the Town vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L., Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2009:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY2010 Budget
School Busing	School Committee	Fee Based Busing Program Receipts	Transportation of students to and from School	\$625,000
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000
Human Rights Committee Invest. Account	Town Manager	MCAD	Costs related to the Investigation of MCAD Complaints	\$2,000
Senior Center Activities	Council on Aging Director	Program Receipts	Costs related to social programs for elderly	\$1,000
Youth Services Activities	Youth Commission Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000

ACTION: So voted by unanimous vote.

ARTICLE 33: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Highway Department is allowed to distribute Chapter 90 funding only after

it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY2010 award amounts had not been released.

MOVED: That the Town vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

ACTION: So voted by unanimous vote.

**ARTICLE 48: APPROPRIATE FOR STORMWATER
MASTER PLAN DRAINAGE
IMPROVEMENTS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$200,000 for drainage improvements, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article Information: The 2002 Storm Water Master Plan identified a number of areas throughout the Town where improvements are required to resolve flooding problems and illicit discharges. Locations for improvements have been prioritized within the Plan. The funding request includes installation of additional storm drains between Lantern Lane and Gayland Road.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$200,000 for drainage improvements, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7.

ACTION: So voted by unanimous vote.

**ARTICLE 54: APPROPRIATE FOR WASTEWATER
PUMP STATION DESIGN – RESERVOIR B**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$577,500 for engineering and design for renovation and improvement to the Reservoir B sewer pump station, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C; to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$577,500 under M.G.L., Chapter 44, Section 7, M.G.L., Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or a loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager is authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with

respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available to the project, or take any other action relative thereto.

Article Information: As part of the Wastewater System Master Plan, several of the wastewater pumping stations were evaluated to determine their current physical condition, capacity vs. current and future flow projections and compliance with current codes or standards of operation. The Reservoir Street "B" Station is the second oldest station in the system. Its standby generator has failed and pumps need constant maintenance. The amount of activity in the Needham Business Center will have a tremendous impact on the Kendrick Street and Reservoir "B" Stations. New enhancements must now be contemplated in anticipation of the addition of 350 residential units at 300 Second Avenue and other commercial development proposed for completion in the next few years.

MOVED: That the Town vote to raise, and/or transfer and appropriate the sum of \$577,500 for engineering and design for renovation and improvement to the Reservoir B sewer pump station, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C; to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$577,500 under M.G.L., Chapter 44, Section 7, M.G.L., Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or a loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager is authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available to the project.

ACTION: So voted by unanimous vote.

ARTICLE 55: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$805,682 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from Water enterprise fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Core Fleet Replacement	\$54,882	
Water	Fire Hydrant Replacement	\$100,000	
Water	Small Specialty Equipment	\$45,000	
Water	Water Supply Feasibility Study	\$75,000	
Water	Water Service Connections	\$200,000	
Water	Water Distribution System	\$330,800	
Total Appropriation		\$805,682	

Article Information: All Water Enterprise Fund cash capital items are included as one article. This methodology allows Town Meeting to view cash capital in its entirety as a considered and thoughtful recommendation on the part of the boards and committees, rather than as a series of independent articles. This approach will still allow for amendment of each line item. Capital proposed for funding by debt will continue to be presented as a separate article, in that debt authorizations require a 2/3 vote of Town Meeting. A description of each request follows.

Water Core Fleet Replacement The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the vehicle(s) scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
20	Water	1998	Sedan	68,117	\$25,057
21	Water	2001	Pick-up	96,078	\$29,825

Fire Hydrant Replacement Program The goal of this program is to remove and replace older and out-dated fire hydrants with new and more reliable fire hydrants within the community. There are approximately 300 unreliable fire hydrants. During the annual fall hydrant inspection (dry testing), older fire hydrants have been targeted as potential freezing hazards due to their lack of ability to either properly drain or efficiently shut down. Using prior year funding, the Town installed approximately 60% more hydrants than anticipated by using its own forces instead of contracting the work out. The proposed funding will support the removal and replacement of approximately 50 hydrants.

Water Small Specialty Equipment The Water and Sewer Division remains on stand-by status 24 hours per day to respond to emergencies. The Division has inventoried its emergency response capabilities and has determined that the existing, 1962 vintage mobile generator (Unit 218) is not equal to the task of supporting the St. Mary Street Pump Station. The existing mobile generator was acquired as surplus equipment from the Civil Defense Department in the 1960's.

Unit	Division	Year	Description	Miles	Cost
218	Water	1962	Mobile Generator	n/a	\$45,000

Water Supply Development Feasibility Study The historical demand in water supply is seasonal in nature. The typical usage during non-summer periods is 2-3 million gallons per day (mgd). The summer usage can reach as high as 5-7 mgd. Therefore, the Town must supplement its supply from the MWRA. Ideally the reliance on the MWRA source would be for emergency purposes as a back-up supply. Becoming more self-reliant would require the development of additional wells. The timeframe for putting new or additional supply on-line is typically 10 years. The development of new wells within the well field would allow the Town to better manage the water within the well field. This process could be initiated through a feasibility study.

Water Service Connections The primary purpose of this program is to remove lead from the system by replacing older water service connections containing lead. The Town's water treatment process reduces the corrosivity of Needham's water to minimize the leaching of lead from the water pipes and house plumbing. However, only the removal of the lead sources will completely assure total compliance. The lead found in water service connections can be eliminated over time by replacing these connections. The DPW integrates this program with road repair and replacement initiatives - service connections are being replaced on streets that have been identified for road improvements.

Water Distribution System Rehabilitation The annual Water System Rehabilitation Program draws from the recommendations of the Water System Master Plan. This master plan recommends that pipes 85 years or older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, projects for FY2010 include Chapel Street/May Street (construction), Pickering Street/Great Plain Avenue to the end (engineering, design and construction). Funding for this project has been allocated between cash and debt. The debt authorization is included under Article 56.

MOVED: That the Town vote to raise and/or transfer and appropriate \$805,682 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from Water enterprise fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Core Fleet Replacement	\$54,882	
Water	Fire Hydrant Replacement	\$100,000	
Water	Small Specialty Equipment	\$45,000	
Water	Water Supply Feasibility Study	\$75,000	
Water	Water Service Connections	\$200,000	
Water	Water Distribution System	\$330,800	
Total Appropriation		\$805,682	

ACTION: So voted by unanimous vote.

At this time the Moderator proceeded with the remaining articles in the Warrant

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

MOVED: That the Town hear and act on the report of Town Officers and Committees.

Mr. David J. Escalante, Chairman, presented the annual report of the Finance Committee. He provided a brief update from the Finance Committee on several matters that have affected us financially as a Town in the past year.

First he reviewed the extraordinary repairs needed at the Newman School, most of which were performed last summer in the beginning of the fiscal year. The town has spent about \$1.4 million beyond what is normally spent to run Newman this year.

Second, Mr. Escalante showed how the revenue of the Town has increased from under \$50 million in 1995 to \$108 million at present. Even in poor economic times, the revenue trends steadily upward without dips – generally between 3 and 6%. Taxes have also trended steadily upward from about \$3,300 in 1995 to \$6,907 today. About 75% of the Town's revenue comes from property tax. A review of several cape and ranch style homes shows that property taxes have increased between 6.5% and 8.3% yearly. Overrides, property values, and the fact the residential property values went up faster than commercial values cause fluctuations and why the rate is never close to 2 ½ %.

Mr. Escalante also reviewed specific warrant articles. He noted that frequent discussions around Needham are the growing enrollment in schools and the increasing number of seniors. Needham population, however, has remained around 29,000 for several decades. He presented a graph that showed the fluctuations in number of youths in Needham. Also a graph showing the number of residents over 60 years of age has been increasing by about 300 per decade over the past 20 years, but it is not nearly as substantial a change as has been taking place in the

school age population. The increase in senior population, however, is forecast to go up in the next decade. There are a substantial number of veterans taking advantage of tax relief. Our costs in this area are around \$200,000 per year. That comes to about \$900 on average per participant. However if you compare the number of residents taking advantage of these programs to the total of 6,700 seniors, the percentage is quite small.

If you look at the warrant articles, there is a common theme. We appear to be moving toward the legislation of various causes. He noted that 9 of the 67 articles on the warrants this spring are not intended to benefit the general population of the Town with such items as new fire trucks, roofs, and computers, but toward specific groups. However, you will note that the Finance Committee is recommending adoption of most of these articles. It may be appropriate at this and future Town Meetings to hear your opinions on these matters.

Mr. Joseph P. Barnes, Chairman, presented the annual report of the School Committee. He noted that the message from the Schools is "Thanks" for supporting the request to open the High Rock School in September and the School Committee's budget request for Fy10. Although the budget does not satisfy all the requests and desires, it does provide sufficient funds to allow the school department to continue to meet its goals for the upcoming year.

Mr. Barnes reviewed the highlights of the School Committee's budget. First, High Rock will open in September with 420 new students arriving from 5 elementary schools. Second, an additional 5th Grade teacher at Mitchell has been added to meet enrollment increases. Third, some additional funds were included to provide for a small increase in the number of special education students, increased tuition and transportation costs. Fourth, there were some additional funds to meet contractual salary obligations. And lastly, there were some offsetting reductions required to balance the budget equal to 10.3 full time employees.

The Finance Committee has added its support for a little more than \$2 million in school-related capital requests, including regular replacement programs for school technology, copiers, musical instruments and furniture.

The budget also includes funding to examine the cost and feasibility of upgrading the electrical and technology infrastructure at Hillside and Mitchell Schools; athletics facility improvements at Small Field and DeFazio; improvements to sidewalks along school walking routes and pedestrian intersections; a more intensive and comprehensive program for maintenance of school buildings and Town facilities. The School Committee plans to begin the steps for the design of the Pollard Middle School roof replacement and new exterior doors to the Hillside School.

Additionally the Special Town Meeting will ask you to support a request for funds to begin design of a permanent heating/ventilation system replacement at Newman School. The Massachusetts School Building Authority (MSBA) has provided a clear signal of their interest in partnering with us to complete this project.

The Town continues to await final word on additional funding that will come to Needham through the American Recovery and Reinvestment Act. We are hopeful that these funds will accomplish their stimulative purpose by softening the impact of required reductions for FY10 and ease the burden of painful budget decisions that are sure to come in FY11. We will continue to be engaged in close and collaborative conversation with the Selectmen, Town Manager and Finance Committee on the best and most thoughtful use of education focused stimulus funds.

ACTION: The Moderator declared Article 2 disposed of.

ARTICLE 3: AMEND ZONING BY-LAW - NEEDHAM CENTER OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

(a) Amend Section 1.3 Definitions, by adding the following terms and definitions in appropriate alphabetical order as follows:

"Affordable Housing Unit: A dwelling unit that is affordable to and occupied by a household with income at or below eighty (80) percent of the area median income that applies to subsidized housing in the Town of Needham, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development (HUD), and meets all applicable requirements for inclusion on the Chapter 40B Subsidized Housing Inventory. Except as may be provided elsewhere in this bylaw, each affordable housing unit shall be eligible for inclusion in the Chapter 40B Subsidized Housing Inventory, in accordance with regulations or policies of the Massachusetts Department of Housing and Community Development (DHCD). As used in this bylaw, "affordable housing unit" and "affordable unit" shall have the same meaning.

Affordable Housing Restriction: A contract, mortgage agreement, deed restriction, or other legal instrument, acceptable in form and substance to the Town of Needham, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction

shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of M.G.L. c.184, ss. 31-33 or other applicable state law. The Board of Selectmen of the Town of Needham may accept, hold, and enforce affordable housing restrictions.

Green Building: A building designed, constructed, and operated and maintained throughout its life cycle to conserve energy and water, reduce environmental impacts, and protect the health of the general public and occupants of the building.

Mixed-Use Building: A building in the Needham Center, Chestnut Street or Garden Street Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground-floor and upper-floor space is used for other commercial use(s) or dwelling unit(s).

Mixed-Use Development: Two (2) or more buildings in the Chestnut Street Overlay District on one lot, with retail use(s) or mixed-use buildings facing the street and other buildings for commercial use(s), mixed uses or multi-family dwelling(s) located to the rear of the lot, connected by walkways, landscaping and pedestrian amenities, and shared parking.

Dwelling, Multi-Family: A building in the Needham Center, Chestnut Street or Garden Street Overlay District containing three or more dwelling units, which building houses only residential uses.

Needham Center Off-Street Parking Fund: A special revenue fund established under chapter 438 of the acts of 2008 to support the provision of off-street parking in the area governed by the act."

(b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

"NC - Needham Center Overlay"

(c) Amend Section 3, Use Regulations, by adding a new Subsection 3.8, Needham Center Overlay District, to read as follows:

"3.8 Needham Center Overlay District

3.8.1 Purposes of District

The purposes of the Needham Center Overlay District are to encourage redevelopment of existing properties and infill development of an appropriate scale, density, mix of uses and design for a suburban downtown, substantially as set forth in the Needham Center Development Plan dated March 30, 2009, and to establish sub-districts in which to achieve these purposes in a manner compatible with surrounding areas; to create and sustain a vibrant, walkable downtown area; and to create opportunities for housing within walking distance of goods and services, public transportation, and the civic life of the town. Toward these ends, development in the Needham Center Overlay

District shall be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the design guidelines and all other requirements of this Section.

3.8.2 Scope of Authority

In the Needham Center Overlay District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Needham Center Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.8, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Needham Center Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provision of the Needham Center Overlay District shall not apply.

3.8.3 Use Regulations

3.8.3.1 Permitted Uses

The following uses are permitted in the Needham Center Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.
- (c) Business uses permitted as of right in the underlying district.
- (d) Mixed-use building, not exceeding five dwelling units per building, with dwelling units allowed above the ground floor only.
- (e) Accessory uses permitted as of right in the underlying district.

3.8.3.2 Special Permit Uses

The following uses are permitted in the Needham Center Overlay District only upon the issuance of a Special Permit by the Planning Board under such conditions as it may require:

- (a) Business uses allowed by special permit in the underlying district.

- (b) Mixed-use building containing six or more dwelling units, with dwelling units located on floors above the ground floor or on the ground floor, provided that:
 - (1) Entrances to ground-floor dwelling units are located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building; and
 - (2) The ground floor of the front façade contains only retail or restaurant uses allowed as of right or by special permit.

- (c) Accessory uses permitted by special permit in the underlying district.

3.8.3.3 Multiple Buildings and Uses

In the Needham Center Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.8 of this By-Law.

3.8.3.4 Enclosed Parking

Enclosed parking in the Needham Center Overlay District shall conform to the requirements for the Center Business District in Section 4.4.6.

3.8.4 Dimensional Regulations

3.8.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Needham Center Overlay District:

- (a) Minimum Lot Area: 10,000 square feet.
- (b) Minimum Lot Frontage: 80 feet.
- (c) Minimum Front Setback: 0 feet from the front property line.
- (d) Maximum Front Setback: The lesser of 3 feet from the front property line, or the average setback of existing buildings within 100 feet on the same side of the street as the proposed development. The Planning Board may grant a Special Permit to waive this requirement when the applicant proposes to provide a pedestrian plaza, outdoor cafeteria or similar amenity in front of a building facing Great Plain Avenue, Highland Avenue, Chestnut Street, or Chapel Street.
- (e) Minimum Side and Rear Setback: For lots abutting a residential district, fifty (50) feet; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, no accessory uses shall be located within

twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.3 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.

3.8.4.2 Building Height Requirements

The maximum building height in the Needham Center Overlay District shall be as follows:

- (a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet, or four stories and forty-eight (48) feet, provided that the fourth story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Subsection 3.8.8 below.
- (b) In Sub-District B: The maximum building height shall be thirty-five (35) feet and two and one-half stories as of right, or by Special Permit from the Planning Board, thirty-seven (37) feet and three stories, provided that the third story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.8.8 below.

Buildings developed under the regulations of the Needham Center Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.

3.8.4.3 Building Bulk and Other Requirements

Except as provided in subsections (a) and (b) below, the maximum floor area ratio in the Needham Center Overlay District shall be the same standard that applies in the Center Business District under Section 4.4.2(b), except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Needham Center Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Section 4.4.2.

- (a) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 2.0 in Sub-Districts A and B, subject to the decision standards in Section 3.8.7.

- (b) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 3.0 in Sub-Districts A and B, subject to the decision standards in Section 3.8.7 and the following additional requirements:

- (1) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board, shall be required as a condition of special permit approval; and
- (2) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces under Section 3.8.5 shall be allowed.

3.8.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in the Central Business District in Section 4.4.6 shall apply in the Needham Center Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:
 - (1) For retail stores or services, there shall be one space per 300 square feet of floor area, except that no parking spaces shall be required for a retail establishment with less than eight hundred (800) square feet of floor area.
 - (2) For any building in which more than forty (40) percent of the usable floor area is located above the ground floor, the minimum number of off-street parking spaces for upper-story business uses shall be eighty (80) percent of the number of spaces that would be required under Section 5.1.2, except that this reduction shall not apply to medical, dental and related health services or clinics.
 - (3) For dwelling units in a mixed-use building, the minimum number of off-street parking spaces shall be one and one-half spaces per dwelling unit except as provided in Section 3.8.6(h).
- (b) In addition to the requirement for bicycle racks under Section 5.1.3(n), for a mixed-use building, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.
- (c) Except as provided in Section 3.8.4.3(b)(2) above, the Planning Board may grant a Special Permit to waive the requirements of Section 5.1.2 or Section 5.1.3, or the requirements of subsection (a) above, if a proposed development satisfies the conditions set forth in Section 5.1.1.6 and Section 3.8.5.1.

3.8.5.1 Needham Center Off-Street Parking Fund

(a) A Special Permit may be granted to allow payment of a fee in lieu of the minimum number of off-street parking spaces required under this Section, if the Planning Board determines that:

- (1) The applicant has reasonably demonstrated that it is uneconomic to accommodate all of the required parking spaces on the lot, given the area and shape of the lot, or under the building, given the size of the project;
- (2) The applicant has reasonably demonstrated that it is infeasible to accommodate the required number of parking spaces through a combination of on-site parking and shared parking with an adjoining property; and
- (3) The project has been designed to the extent feasible to reduce the required number of off-street parking spaces, e.g., by the inclusion of space for retail establishments with less than 800 sq. ft. of floor area, or a multi-story building with upper-story uses that qualify for reduced parking, as provided under Section 3.8.5(a).

(b) The fee shall be computed on a per-space basis and paid into a special revenue fund known as the Needham Center Off-Street Parking Fund, to be used solely for the purpose of providing shared or public parking benefiting uses within the area covered by the Needham Center Development Plan.

(c) The fee shall be determined by the Planning Board in accordance with the Needham Center Development Plan or the Town of Needham Capital Improvements Plan, as applicable, and paid by the applicant in two installments: one-half prior to the receipt of a building permit and one-half prior to receipt of a certificate of occupancy, unless the applicant chooses to pay the entire fee prior to receipt of a building permit.

3.8.6 Affordable Housing

Any mixed-use building with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.8.4.3.
- (b) For a development with not more than ten dwelling units, at least one unit shall be an affordable unit; and for a development with eleven or more dwelling units, at least ten percent shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number.

(c) If the applicant provides at least one-half of the affordable units for households with incomes at or below fifty (50) percent of area median income, the remaining affordable units may be sold or rented to households with incomes up to 100 percent of area median income even if the latter units are not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.

(d) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size and energy efficiency to the development's market-rate units.

(e) The affordable units shall be constructed in proportion to the number of market-rate units in the development. Proportionality shall be determined by the number of building permits or certificates of occupancy issued for the affordable units and market-rate units, as applicable, or otherwise in accordance with a schedule set by the Planning Board in conditions imposed on the Special Permit.

(f) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.

(g) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.

(h) For affordable units with not more than one bedroom, the minimum number of parking spaces under section 3.8.5 shall be reduced to one space per unit.

3.8.7 Site Plan Review

For any project seeking a Special Permit under Sections 3.8.4.1, 3.8.4.2, or 3.8.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;

(c) The degree to which the proposed project is consistent with the purposes of the Needham Center Overlay District and conforms to the Design Guidelines in Section 3.8.8;

(d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;

(e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for the redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;

(f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;

(g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

(1) Affordable housing units;

(2) Use of one or more renewable energy sources in the operation of the project;

(3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or through payment of fees in lieu of off-street parking spaces except where such payment of fees is not allowed for a Special Permit under Section 3.8.4.3(b).

3.8.8 Design Guidelines

The Design Guidelines for the Needham Center Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department."

Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Add a new paragraph after Neighborhood Business District to read as follows:

"In the Needham Center Overlay District a MAJOR PROJECT shall be as defined above in the Center Business District."

Under MINOR PROJECT, add a new paragraph after Medical Overlay District to read as follows:

(e) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.8 between "3.4" and "4.2.4," such that the revised sentence shall read:

"The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law."

(f) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after "Center Business District" the words, "Needham Center Overlay District" such that the paragraph will read:

"The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as "Major" or "Minor Projects" under Site Plan Review."

Under Section 7.7.4 Design Criteria, add the following paragraph after the paragraph which begins, "In addition to paragraph (4) above..."

"For requests for site plan reviews and special permits in the Needham Center Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Section 3.8 of this By-Law."

Or take any other action relative thereto.

Articles 3-8 Introduction: Articles 3-8 represent a package of proposed Zoning Bylaw amendments that stem from more than two years of work by the Planning Board and the Downtown Study Committee to prepare the Needham Center Development Plan. Articles 3-5 propose the creation of three new overlay districts in areas located within the existing Center Business and Chestnut Street Business Districts, and Articles 6-8 provide the boundary descriptions for each overlay district. Together, the proposed

zoning changes support a comprehensive vision for revitalizing the downtown area. In concert with other elements of the Needham Center Development Plan, the overlay districts have been designed to address several needs, issues and constraints: traffic and circulation; the shape and physical form of the downtown area; parking supply, location, and needs of various users; existing property rights; the value of existing assets that must be accounted for in designing incentives to encourage redevelopment; and the quality of life in the adjacent residential neighborhoods.

Needham Center is a much loved and used downtown, but it has untapped economic potential and represents missed opportunities to improve the built environment, public realm, traffic, and parking. During Needham Center's heyday in the late 1800s and early 1900s, many beautifully designed buildings of two and three stories, and even some of four-stories, stood within a block of Town Hall and the Common. During the past century, however, our increasing use of the automobile along with the promulgation of zoning laws that reflect that auto dependence have promoted a suburban land use pattern with widely distributed commercial development that detracts from the focus on and livability of the Center. Today, Needham Center's built environment has more than its share of one-story buildings with undistinguished facades. Despite a beautiful town common and pockets of attractive and pleasant streetscape, the public environment is marred by an overall unattractiveness, sidewalks that do not cater to pedestrians, inconsistent building setbacks, a lack of trees and green space, inadequate crosswalks, an excessive number of curbscuts, and too many parking lots that face the street.

The Town's current zoning contributes to these problems by posing barriers to redevelopment. While some Needham Center properties still have room to expand, most have already reached or exceeded their maximum development potential. As a result, there is no incentive for new investment, which is critical for economic growth, increased property values, and the ability to provide public benefits such as traffic mitigation and parking. Creating opportunities to increase the size and massing of buildings will help to better define and improve the village spaces of the downtown area along the major streets.

The proposed overlay districts are designed to address these needs. The key trade-off for allowing more development and a wider range of uses in the overlay districts is mandating adherence to design guidelines. In exchange for complying with the new Needham Center design guidelines, property owners may pursue a special permit for more intensive use of existing properties, provide market-rate or mixed-income housing in a more encouraging environment than that which exists today, and gain some relief from existing parking requirements. In addition, a special permit will be considered for taller buildings in some parts of the downtown area. The special permit is important because it will allow the Planning Board to evaluate the impact of the visual change being proposed, both from immediate and distant vantage points.

The proposed zoning amendments are part of a long-term plan to guide the gradual redevelopment of Needham Center. For each proposed project, the Planning Board will hold public hearings, consider the proposal's consistency with the Needham Center Development Plan, and weigh the proposal's benefits against potential adverse impacts. The Planning Board will have the authority to deny a special permit if appropriate. The Board will not grant a special permit if the road system or parking infrastructure is insufficient to handle the projected impacts of a proposed development.

Article 3 Explanation: Article 3, in combination with Article 6, proposes to create the Needham Center Overlay District. Article 3 lays out the regulatory framework for the new overlay district while Article 6 describes its geographic boundaries. The boundaries of the Needham Center Overlay District match the boundaries of the present Center Business District. Since Article 3 involves the creation of an overlay district, property owners in the Center Business District retain their existing zoning rights in the underlying zone. The Needham Center Overlay District creates additional choices by placing supplemental provisions on top of those which already exist in the underlying Center Business District. The overlay district's key provisions are summarized below.

Designation of the District

The Needham Center Overlay District is bounded on the north by May Street and the existing zoning boundary line between the Center Business District and residentially zoned districts; on the east by Pickering Street and the existing zoning boundary line between the Center Business District and residentially zoned districts; on the south by the existing zoning boundary line between Center Business and residentially zoned districts, and by Keith Place; and on the west by the existing zoning boundary line between the Center Business District and the Single Residence B District, and by Eaton Square and the MBTA commuter railroad right-of-way.

Purpose of the District

The purpose of the Needham Center Overlay District is to encourage at an appropriate scale, density, mix of uses and design the redevelopment and infill development of existing properties in order to ensure a vibrant suburban village downtown that offers a diverse and sustainable mix of goods, services and housing informed by "smart growth" and transit-oriented development principles, substantially as set forth in the Needham Center Development Plan. The zoning seeks to encourage a more walkable downtown area; housing that is within walking distance of goods and services, public transportation, and the civic center of the town; and improved traffic flow and parking. The zoning for the district draws on a vision of historic Needham Center and the traditional New England village for inspiration and interprets it for contemporary life.

Definitions

New terms that appear in the package of zoning amendments but not elsewhere in the zoning bylaw are presented in alphabetical order: affordable housing unit; affordable housing restriction; green building; mixed-use building; mixed-use development; Needham Center off-street parking fund.

Permitted Uses

The Needham Center Overlay District lists the uses that are allowed as-of-right or by special permit. The use schedule largely mirrors that of the underlying Center Business District with one notable exception: the allowance of up to five upper-story housing units as-of-right, with additional units allowed by special permit.

Lot Area and Frontage

The Needham Center Overlay District requires the same minimum lot area (10,000 sq. ft.) and minimum lot frontage (80 ft.) as the underlying Center Business District.

Minimum Side and Rear Setbacks

For lots adjacent to the MBTA right-of-way, the minimum yard setback is twenty-five (25) feet from the lot line abutting the MBTA right-of-way. The ten (10) feet of the setback closest to the MBTA right-of-way must be suitably landscaped and not used for any other purpose except surface parking, if approved by special permit from the Planning Board. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, but an underground parking structure would be allowed located entirely below the grade of the existing lot.

For lots abutting a residential district, the minimum yard setback is fifty (50) feet from the district boundary. The twenty-five (25) feet closest to the district boundary must be suitably landscaped and not used for any other purpose. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot setback provided the garage structure is located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater. The twenty-five (25) feet closest to the district boundary must be suitably landscaped over the surface of the garage structure.

Building Height Requirements

The Needham Center Overlay District has been divided into two sub-districts, A and B, in order to accommodate different height regulations. The proposed regulations allow increased heights in Sub-District B to 2+1 stories and in Sub-District A to 3+1 stories. The "+1" designation means that the top floor is allowed if contained under a pitched roof or stepped back from the façade.

In Sub-District A, which lies along a portion of Great Plain Avenue, the minimum building height is two stories and twenty-seven (27) feet and the maximum building height allowed as-of-right is two and one-half stories and thirty-five (35) feet. The Planning Board has authority to grant a special permit to increase the maximum height to three stories and thirty-seven (37) feet, or four stories and forty-eight (48) feet if the fourth story is contained under a pitched roof or recessed from the face of the building. This type of fourth story is known as 3+1.

In Sub-District B, which principally abuts the Town Hall and Town Common, the maximum building height is two and one-half stories and thirty-five (35) feet as-of-right. The Planning Board has authority to grant a special permit to increase the maximum height to three stories and thirty-seven (37) feet if the third story is contained under a pitched roof or recessed from the face of the building. This type of third story is known as 2+1. A reduced height profile was established for Sub-District B in order to enhance the Town Common as an urban open space while at the same time not overwhelming the Town Hall.

Building Bulk and Other Requirements

One way to regulate density is through the use of a measurement called the Floor Area Ratio (FAR), which is the ratio of a building's total floor area to the area of the lot. In the overlay district, the FAR calculation excludes underground parking. The FAR regulations encourage building massing that helps to define the street edge, which serves as a backdrop to the streetscape. The proposed maximum as-of-right FAR is 1.0. However, the Planning Board has authority to grant special permits for two "tiers" of

increases in the FAR. For the first tier, the FAR can be increased to 2.0 in Sub-Districts A and B, subject to the following standards:

- (a) The adequacy of existing facilities to serve the proposed development;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Needham Center Overlay District and conforms to the design guidelines for the district;
- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for the redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;
- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following: (i) Affordable housing units; (ii) Use of one or more renewable energy sources in the operation of the project; (iii) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or through payment of fees in lieu of off-street parking spaces, except where such payment of fees is not allowed for a special permit.

For the second tier, the Planning Board has authority to grant a special permit to increase the maximum FAR to 3.0 in Sub-Districts A and B, subject to the decision standards listed above and the following additional requirements:

- (a) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board; and
- (b) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces shall be allowed.

Parking Waivers and the Off-Street Parking Fund

The proposed zoning provides for a special permit to waive strict compliance with off-street parking requirements if the applicant makes a mitigation payment to the Off-Street Parking Fund. Mitigation payments are to be based on a "cost per space" formula. The mitigation revenue may be used as a contribution toward the design or construction of new parking facilities, to lease parking spaces, or for parking management. The objectives of this provision are to facilitate redevelopment and enlist private-sector assistance with increasing the supply of public parking in Needham Center.

Affordable Housing

There was considerable discussion about affordable housing when the Needham Center Development Plan was prepared. In response, the proposed zoning requires affordable housing in larger mixed-use developments, i.e., those with six or more dwelling units. At least one affordable unit is required for a development with six to ten units. For a development with eleven or more units, at least 10 percent must be affordable. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number. Floor area devoted to affordable housing is exempt from the total floor area used to calculate maximum FAR.

MOVED: That the Town vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 1.3 Definitions, by adding the following terms and definitions in appropriate alphabetical order as follows:

"Affordable Housing Unit: A dwelling unit that is affordable to and occupied by a household with income at or below eighty (80) percent of the area median income that applies to subsidized housing in the Town of Needham, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development (HUD), and meets all applicable requirements for inclusion on the Chapter 40B Subsidized Housing Inventory. Except as may be provided elsewhere in this bylaw, each affordable housing unit shall be eligible for inclusion in the Chapter 40B Subsidized Housing Inventory, in accordance with regulations or policies of the Massachusetts Department of Housing and Community Development (DHCD). As used in this bylaw, "affordable housing unit" and "affordable unit" shall have the same meaning.

Affordable Housing Restriction: A contract, mortgage agreement, deed restriction, or other legal instrument, acceptable in form and substance to the Town of Needham, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of M.G.L. c.184, ss. 31-33 or other applicable state law. The Board of Selectmen of the Town of Needham may accept, hold, and enforce affordable housing restrictions.

Green Building: A building designed, constructed, and operated and maintained throughout its life cycle to conserve energy and water, reduce environmental impacts, and protect the health of the general public and occupants of the building.

Mixed-Use Building: A building in the Needham Center, Chestnut Street or Garden Street Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground-floor and upper-floor

space is used for other commercial use(s) or dwelling unit(s).

Mixed-Use Development: Two (2) or more buildings in the Chestnut Street Overlay District on one lot, with retail use(s) or mixed-use buildings facing the street and other buildings for commercial use(s), mixed uses or multi-family dwelling(s) located to the rear of the lot, connected by walkways, landscaping and pedestrian amenities, and shared parking.

Dwelling, Multi-Family: A building in the Needham Center, Chestnut Street or Garden Street Overlay District containing three or more dwelling units, which building houses only residential uses.

Needham Center Off-Street Parking Fund: A special revenue fund established under chapter 438 of the acts of 2008 to support the provision of off-street parking in the area governed by the act."

- (b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

"NC Needham Center Overlay"

- (c) Amend Section 3, Use Regulations, by adding a new Subsection 3.8, Needham Center Overlay District, to read as follows:

"3.8 Needham Center Overlay District

3.8.1 Purposes of District

The purposes of the Needham Center Overlay District are to encourage redevelopment of existing properties and infill development of an appropriate scale, density, mix of uses and design for a suburban downtown, substantially as set forth in the Needham Center Development Plan dated March 30, 2009, and to establish sub-districts in which to achieve these purposes in a manner compatible with surrounding areas; to create and sustain a vibrant, walkable downtown area; and to create opportunities for housing within walking distance of goods and services, public transportation, and the civic life of the town. Toward these ends, development in the Needham Center Overlay District shall be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the design guidelines and all other requirements of this Section.

3.8.2 Scope of Authority

In the Needham Center Overlay District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Needham Center Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.8, the owner shall be deemed to accept and agree to them. In

such event, where the provisions of the Needham Center Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provision of the Needham Center Overlay District shall not apply.

3.8.3 Use Regulations

3.8.3.1 Permitted Uses

The following uses are permitted in the Needham Center Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.
- (c) Business uses permitted as of right in the underlying district.
- (d) Mixed-use building, not exceeding five dwelling units per building, with dwelling units allowed above the ground floor only.
- (e) Accessory uses permitted as of right in the underlying district.

3.8.3.2 Special Permit Uses

The following uses are permitted in the Needham Center Overlay District only upon the issuance of a Special Permit by the Planning Board under such conditions as it may require:

- (a) Business uses allowed by special permit in the underlying district.
- (b) Mixed-use building containing six or more dwelling units, with dwelling units located on floors above the ground floor or on the ground floor, provided that:
 - (1) Entrances to ground-floor dwelling units are located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building; and
 - (2) The ground floor of the front façade contains only retail or restaurant uses allowed as of right or by special permit.
- (c) Accessory uses permitted by special permit in the underlying district.

3.8.3.3 Multiple Buildings and Uses

In the Needham Center Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.8 of this By-Law.

3.8.3.4 Enclosed Parking

Enclosed parking in the Needham Center Overlay District shall conform to the requirements for the Center Business District in Section 4.4.6.

3.8.4 Dimensional Regulations

3.8.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Needham Center Overlay District:

- (a) Minimum Lot Area: 10,000 square feet.
- (b) Minimum Lot Frontage: 80 feet.
- (c) Minimum Front Setback: 0 feet from the front property line.
- (d) Maximum Front Setback: The lesser of 3 feet from the front property line, or the average setback of existing buildings within 100 feet on the same side of the street as the proposed development. The Planning Board may grant a Special Permit to waive this requirement when the applicant proposes to provide a pedestrian plaza, outdoor cafeteria or similar amenity in front of a building facing Great Plain Avenue, Highland Avenue, Chestnut Street, or Chapel Street.
- (e) Minimum Side and Rear Setback: For lots abutting a residential district, fifty (50) feet; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, no accessory uses shall be located within twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.3 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.

3.8.4.2 Building Height Requirements

The maximum building height in the Needham Center Overlay District shall be as follows:

- (a) In Sub-District A: The minimum building height shall be two stories and twenty-seven feet and the maximum building height shall be two and one-half stories and thirty-five feet as of right. By Special Permit from the Planning Board, the maximum height of a building may be increased up to the following limits: three stories and thirty-seven (37) feet, or four stories and forty-eight (48) feet, provided that the fourth story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Subsection 3.8.8 below.
- (b) In Sub-District B: The maximum building height shall be thirty-five (35) feet and two and one-half stories as of right, or by Special Permit from the Planning Board, thirty-seven (37) feet and three stories, provided that the third story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.8.8 below.

Buildings developed under the regulations of the Needham Center Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.

3.8.4.3 Building Bulk and Other Requirements

Except as provided in subsections (a) and (b) below, the maximum floor area ratio in the Needham Center Overlay District shall be the same standard that applies in the Center Business District under Section 4.4.2(b), except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Needham Center Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Section 4.4.2.

- (a) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 2.0 in Sub-Districts A and B, subject to the decision standards in Section 3.8.7.
- (b) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 3.0 in Sub-Districts A and B, subject to the decision standards in Section 3.8.7 and the following additional requirements:
- (1) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board, shall be required as a condition of special permit approval; and
 - (2) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces under Section 3.8.5 shall be allowed.

3.8.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in the Central Business District in Section 4.4.6 shall apply in the Needham Center Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:
- (1) For retail stores or services, there shall be one space per 300 square feet of floor area, except that no parking spaces shall be required for a retail establishment with less than eight hundred (800) square feet of floor area.
 - (2) For any building in which more than forty (40) percent of the usable floor area is located above the ground floor, the minimum number of off-street parking spaces for upper-story business uses shall be eighty (80) percent of the number of spaces that would be required under Section 5.1.2, except that this reduction shall not apply to medical, dental and related health services or clinics.
 - (3) For dwelling units in a mixed-use building, the minimum number of off-street parking spaces shall be one and one-half spaces per dwelling unit except as provided in Section 3.8.6(h).
- (b) In addition to the requirement for bicycle racks under Section 5.1.3(n), for a mixed-use building, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.
- (c) Except as provided in Section 3.8.4.3(b)(2) above, the Planning Board may grant a Special Permit to waive the requirements of Section 5.1.2 or Section 5.1.3, or the requirements of subsection (a) above, if a proposed development satisfies the conditions set forth in Section 5.1.1.6 and Section 3.8.5.1.

3.8.5.1 Needham Center Off-Street Parking Fund

- (a) A Special Permit may be granted to allow payment of a fee in lieu of the minimum number of off-street parking spaces required under this Section, if the Planning Board determines that:
- (1) The applicant has reasonably demonstrated that it is uneconomic to accommodate all of the required parking spaces on the lot, given the area and shape of the lot, or under the building, given the size of the project;
 - (2) The applicant has reasonably demonstrated that it is infeasible to accommodate the required number of parking spaces through a combination of on-site parking and shared parking with an adjoining property; and
 - (3) The project has been designed to the extent feasible to reduce the required number of off-street parking spaces, e.g., by the inclusion of

space for retail establishments with less than 800 sq. ft. of floor area, or a multi-story building with upper-story uses that qualify for reduced parking, as provided under Section 3.8.5(a).

- (b) The fee shall be computed on a per-space basis and paid into a special revenue fund known as the Needham Center Off-Street Parking Fund, to be used solely for the purpose of providing shared or public parking benefiting uses within the area covered by the Needham Center Development Plan.
- (c) The fee shall be determined by the Planning Board in accordance with the Needham Center Development Plan or the Town of Needham Capital Improvements Plan, as applicable, and paid by the applicant in two installments: one-half prior to the receipt of a building permit and one-half prior to receipt of a certificate of occupancy, unless the applicant chooses to pay the entire fee prior to receipt of a building permit.

3.8.6

Affordable Housing

Any mixed-use building with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.8.4.3.
- (b) For a development with not more than ten dwelling units, at least one unit shall be an affordable unit, and for a development with eleven or more dwelling units, at least ten percent shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number.
- (c) If the applicant provides at least one-half of the affordable units for households with incomes at or below fifty (50) percent of area median income, the remaining affordable units may be sold or rented to households with incomes up to 100 percent of area median income even if the latter units are not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.
- (d) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size and energy efficiency to the development's market-rate units.
- (e) The affordable units shall be constructed in proportion to the number of market-rate units in the development. Proportionality shall be determined by the number of building permits or certificates of occupancy issued for the affordable units and market-rate units, as applicable, or

otherwise in accordance with a schedule set by the Planning Board in conditions imposed on the Special Permit.

- (f) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
- (g) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.
- (h) For affordable units with not more than one bedroom, the minimum number of parking spaces under section 3.8.5 shall be reduced to one space per unit.

3.8.7

Site Plan Review

For any project seeking a Special Permit under Sections 3.8.4.1, 3.8.4.2, or 3.8.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Needham Center Overlay District and conforms to the Design Guidelines in Section 3.8.8;
- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for the redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as

practical, given the type of building and proposed uses;

- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

- (1) Affordable housing units;
- (2) Use of one or more renewable energy sources in the operation of the project;
- (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or through payment of fees in lieu of off-street parking spaces except where such payment of fees is not allowed for a Special Permit under Section 3.8.4.3(b).

3.8.8 Design Guidelines

The Design Guidelines for the Needham Center Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department.”

- (d) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Add a new paragraph after Neighborhood Business District to read as follows:

“In the Needham Center Overlay District a MAJOR PROJECT shall be as defined above in the Center Business District.”

Under MINOR PROJECT, add a new paragraph after Medical Overlay District to read as follows:

“In the Needham Center Overlay District a MINOR PROJECT shall be as defined above in the Center Business District.”

- (e) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.8 between “3.4” and “4.2.4,” such that the revised sentence shall read:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law.”

- (f) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after “Center Business

District” the words, “Needham Center Overlay District” such that the paragraph will read:

“The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as “Major” or “Minor Projects” under Site Plan Review.”

Under Section 7.7.4 Design Criteria, add the following paragraph after the paragraph which begins, “In addition to paragraph (4) above...”

“For requests for site plan reviews and special permits in the Needham Center Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Section 3.8 of this By-Law.”

Robert T. Smart, Jr., former Planning Board member and Co-Chairman of the Downtown Study Committee, rose to address these zoning articles. In his place Jeanne S. McKnight, Planning Board member and Town Meeting Member, moved that Articles 3 through 8 be discussed together and voted on separately. The motion was presented and carried unanimously by voice vote.

Mr. Smart continued his discussion under the Zoning articles. He explained that in 2006 Needham began a downtown planning project that followed up on its Community Development Plan completed in 2004. The Downtown Study was an endeavor to develop a comprehensive plan the future of the Needham Center commercial area comprising the Center Business District, the Chestnut Street Business District, and the Business district along Highland Avenue. This planning effort focused on six themes: sense of place, affordable housing, streetscape and built form, traffic, parking and retail. The Downtown Study Committee consisted of property owners from the affected zoning districts, representative of the abutting residential neighborhoods, members of the Planning Board, Board of Selectmen, Needham Housing Authority, Needham Business Association, and Economic Development Advisory Committee, and Town business owners and residents.

The Committee worked closely with the Town’s consultant, Dinisco Design Partnership, throughout the project period. Three public town-wide workshops were held. The Downtown Plan addresses the Town’s overall objective of fostering the economic development of Needham Center as a mixed-use local downtown shopping district, increasing housing opportunities, improving aesthetics and the pedestrian environment, and improving parking and traffic conditions

Mrs. Jeanne S. McKnight, former member of the Downtown Study Committee and Planning Board member, addressed the zoning articles on behalf of the Planning Board providing the background of the overlay districts which include the Center Business District, the Chestnut Street Business District including part of Garden Street, and the Highland Avenue Business District which had been previously reviewed. The current zoning has barriers to redevelopment. Many of the Needham Center properties have already reached or exceeded their maximum development potential. This results in no incentive for new investment which is critical for economic growth, increased property values and the ability to provide public benefits such as traffic mitigation and parking. The concept is to create more choices, offer new development privileges and encourage underground parking. Mrs. McKnight urged affirmative votes on Articles 3 through 8.

Mr. Maurice P. Handel, Selectman, advised that the Board of Selectmen unanimously supports these zoning articles. He noted that the goal is to maximize the downtown area with long term goals. He indicated that these goals will add value to properties and are crafted to keep the Town Hall the focal point of the downtown area. The Board of Selectmen urges supports of Articles 3 through 8.

Lisa W. Zappala, member, recommended adoption of these zoning articles on behalf of the Finance Committee. She explained that they have a positive fiscal impact on the Town. The creation of additional mixed space will create additional revenue all of which could take up to twenty years. The Finance Committee unanimously supports adoption of these articles.

Discussion commenced under Article 3 through 8 with an inquiry from Town Meeting Member Lee Garf. Mrs. McKnight explained that a survey of Needham Heights was conducted within the last 10 years and will be reviewed in the future, but it was not part of this downtown center study.

Mr. Robert Y. Larsen expressed concern with this proposal. While he respects all the work that had been done, he cannot vote in favor of the zoning articles.

In response to an inquiry from Deborah S. Winnick, Mr. Smart stated that this project will go forward parcel by parcel and that the length of time is not known. Only time will tell.

In response to an inquiry from Town Meeting Member Paula R. Callanan regarding parking and oversight, Mrs. McKnight advised that the Planning Board is going to look at parking and wants to see what is more conducive to the downtown area.

Mr. Richard B. Dagen spoke in favor of the zoning proposals. He was advised that the design guidelines already exist and will be improved and updated.

In response to an inquiry from John E. Comando, Mr. Smart noted that an analysis has not been conducted on the impact on the many small local businesses.

In response to an inquiry from Mr. John P. Connelly regarding who is in charge of the off street parking fund, Mr. Smart advised that the Board of Selectmen are in charge of funding and it is approved by Town Meeting.

Mr. Paul A. Siegenthaler expressed concern with the increased rents to small local shop owners. Mr. Ronald W. Ruth,

Planning Board member, noted that we need to be clear on the streetscape and traffic lights. They have been added to the discussion but are not part of these zoning articles. The Streetscape and traffic lights are complimentary.

Lisa W. Zappala, Finance Committee member, acknowledged that the Executive Summary lays out the time frame for these improvements. Some are estimates and other are in the Capital Outlay.

In response to an inquiry from Matthew D. Borrelli, Mrs. McKnight advised that a traffic study had been done and that a special permit is required to increase the floor area ratio to the lot area.

In response to an inquiry from Leigh M. Doukas, Mrs. McKnight explained that an applicant has to do a parking study if requesting additional parking.

After a brief discussion, a motion to move the previous question was offered by Mr. Thomas M. Harkins on all motions. The motion was presented and carried by voice vote.

ACTION: The main motion under Article 3 was presented and carried by two-thirds vote on a voice vote.

ARTICLE 4: AMEND ZONING BY-LAW – LOWER CHESTNUT STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“LC – Lower Chestnut Street Overlay”

- (b) Amend Section 3, Use Regulations, by adding a new Subsection 3.9, Lower Chestnut Street Overlay District, to read as follows:

“3.9 Lower Chestnut Street Overlay District

3.9.1 Purposes of District

The purposes of the Lower Chestnut Street Overlay District are to encourage redevelopment of existing properties in a manner that brings buildings close to the street, with landscaping and layouts and designs of sites and buildings conducive to pedestrian use; to reorganize and consolidate curb cuts through appropriate access management controls; and to create opportunities for Chestnut Street to serve as an attractive, safe, pedestrian-friendly street, substantially as set forth in the Needham Center Development Plan dated March 30, 2009. Toward these ends, development in the Lower Chestnut Street Overlay District shall be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the design guidelines and all other requirements of this Section.

3.9.2 Scope of Authority

In the Lower Chestnut Street District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Lower Chestnut Street Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.9, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Lower Chestnut Street Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Lower Chestnut Street Overlay District shall not apply.

3.9.3 Use Regulations

3.9.3.1 Permitted Uses

The following uses are permitted in the Lower Chestnut Street Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) All uses permitted as of right in the underlying district.
- (c) Mixed-use building, not exceeding five dwelling units per building, with dwelling units allowed above the ground floor only.
- (d) Accessory uses permitted as of right in the underlying district.

3.9.3.2 Special Permit Uses

The following uses are permitted in the Lower Chestnut Street Overlay District only upon the issuance of a Special Permit by the Planning Board under such conditions as it may require:

- (a) Business uses allowed by special permit in the underlying district, excluding an automobile service station.
- (b) Mixed-use building containing six or more dwelling units in a building, with dwelling units located on floors above the ground floor or on the ground floor, provided that:
 - (1) Entrances to ground-floor dwelling units are located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building; and

- (2) The ground floor of the front façade contains only retail, restaurant or office uses allowed by right or by special permit.

- (c) Mixed-use development, provided that at least sixty (60) percent of the front side of the lot facing Chestnut Street, measured in percentage of linear feet of frontage, shall be occupied by a building or buildings located within twenty (20) feet of the street line, said building(s) to contain permitted business uses and which may contain upper-story dwelling units. Free-standing multi-family dwelling(s) associated with a mixed-use development shall be located toward the rear of the site and be connected to building(s) facing the street by means of landscaped walkways or a courtyard.
- (d) Accessory uses permitted by special permit in the underlying district.

3.9.3.3. Multiple Buildings and Uses

In the Lower Chestnut Street Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.9 of this By-Law.

3.9.3.4 Special Permit, Parking Garage

The Planning Board may issue a Special Permit for a parking garage or parking structure for more than three (3) vehicles, including both enclosed and open structures, above and below ground, serving uses within the area covered by the Downtown Development Plan, where the parking garage or structure is located within 1,000 feet of the uses it serves, subject to such setback requirements as the Planning Board may impose.

3.9.4 Dimensional Regulations

3.9.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Lower Chestnut Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 100 feet.
- (c) Minimum Front Setback: The lesser of 5 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development.
- (d) Maximum Front Setback: 15 feet from the front property line.
- (e) Minimum Side and Rear Setback:
 - (1) For lots abutting a residential district, fifty (50) feet from the lot line abutting the

residential district; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, the twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.2 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.

- (2) For lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of twenty-five (25) feet from the lot line abutting the MBTA right-of-way, and the first ten (10) feet of the setback shall be suitably landscaped and not used for any other purpose, including an accessory use, except that within said ten (10) feet the Planning Board may grant a special permit for surface parking, provided that the parking area is suitably landscaped. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, except that within said fifteen (15) feet an underground parking structure is permitted if located entirely below the grade of the existing lot.

3.9.4.2 Building Height Requirements

The maximum building height in the Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of three stories and thirty-seven feet or four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.9.8 below.

Buildings in the Lower Chestnut Street Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.

3.9.4.3 Building Bulk and Other Requirements

The maximum floor area ratio in the Lower Chestnut Street Overlay District shall be 0.70, except that for lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit to increase the maximum floor area ratio as provided in subsections (a) and (b) below. The area of a building devoted to underground parking shall not be counted as

floor area for purposes of determining the maximum floor area ratio under this section. Uses in the Lower Chestnut Street Overlay District shall not be subject to any other limitations on floor area ratio or building bulk such as those contained in Section 4.4.2.

- (a) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 1.5, subject to the decision standards in Section 3.9.7.
- (b) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 2.0, subject to the decision standards in Section 3.9.7 and the following additional requirements:
 - (1) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board, shall be required as a condition of special permit approval; and
 - (2) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces under Section 3.9.5 shall be allowed.

3.9.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 shall apply in the Lower Chestnut Street Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:
 - (1) For any building in which more than forty (40) percent of the usable floor area is located above the ground floor, the minimum number of off-street parking spaces for upper-story business uses shall be eighty (80) percent of the number of spaces that would be required under Section 5.1.2, except that this reduction shall not apply to medical, dental and related health services or clinics.
 - (2) For dwelling units in a mixed-use building or mixed-use development, the minimum number of off-street parking spaces shall be one and one-half spaces per dwelling unit.
- (b) In addition to the requirement for bicycle racks under Section 5.1.3(n), for a mixed-use building or mixed-use development, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.

3.9.5.1 Needham Center Off-Street Parking Fund

- (a) A Special Permit may be granted to allow payment of a fee in lieu of the minimum number of off-street parking spaces required under this Section, if the Planning Board determines that:
 - (1) The applicant has reasonably demonstrated that it is uneconomic to accommodate all of the required parking spaces on the lot, given

the area and shape of the lot, or under the building, given the size of the project;

- (2) The applicant has reasonably demonstrated that it is not feasible to accommodate the required number of parking spaces through a combination of on-site parking and shared parking with an adjoining property, and

- (3) The project has been designed to the extent feasible to reduce the required number of off-street parking spaces, e.g., a multi-story building with upper-story uses that qualify for reduced parking, as provided under Section 3.9.5(a).

- (b) The fee shall be computed on a per-space basis and paid into a special revenue fund known as the Needham Center Off-Street Parking Fund, to be used solely for the purpose of providing shared or public parking benefiting uses within the area covered by the Downtown Needham Development Plan.

- (c) The fee shall be determined by the Planning Board in accordance with the Needham Center Development Plan or the Town of Needham Capital Improvements Plan, as applicable, and paid by the applicant in two installments: one-half prior to the receipt of a building permit and one-half prior to receipt of a certificate of occupancy, unless the applicant chooses to pay the entire fee prior to receipt of a building permit.

3.9.6 Affordable Housing

Mixed-use buildings or mixed-use developments with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.9.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.

3.9.7 Site Plan Review

For any project seeking a Special Permit under Sections 3.9.4.1, 3.9.4.2 or 3.9.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following review criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development

goals set forth in the Needham Center Development Plan;

- (c) The degree to which the proposed project is consistent with the purposes of the Lower Chestnut Street Overlay District and conforms to the Design Guidelines under Section 3.9.8;

- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;

- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable to redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;

- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;

- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

- (1) Affordable housing units;
- (2) Use of one or more renewable energy sources in the operation of the project;
- (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or provided through payment of fees in lieu of off-street parking spaces except where such payment of fees is not allowed for a Special Permit under Section 3.9.4.3(b).

3.9.8 Design Guidelines

The Design Guidelines for the Lower Chestnut Street Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department."

- (c) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Amend the paragraph after Neighborhood Business District by inserting after "Needham Center Overlay District" the words "and Lower Chestnut Street Overlay District" such that the paragraph will read as follows:

"In the Needham Center Overlay District and Lower Chestnut Street Overlay District, a MAJOR PROJECT shall be as defined above in the Center Business District."

Under MINOR PROJECT, amend the paragraph after Medical Overlay District by inserting after "Needham Center Overlay District" the words "and Lower Chestnut Street Overlay District" such that the paragraph will read as follows:

"In the Needham Center Overlay District and Lower Chestnut Street Overlay District, a MINOR PROJECT shall be as defined above in the Center Business District."

Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.9 between "3.8" and "4.2.4," such that the revised sentence shall read:

"The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law."

Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after "Chestnut Street Business District" the words, "Lower Chestnut Street Overlay District" such that the paragraph will read:

"The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Lower Chestnut Street Overlay District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as "Major" or "Minor Projects" under Site Plan Review."

Under Section 7.7.4 Design Criteria, amend the paragraph after the paragraph which begins, "In addition to paragraph (4) above..." by inserting after "Needham Center Overlay District" the words, "and the Lower Chestnut Street Overlay District and by revising the "Section 3.8" reference to read "Sections 3.8 and "3.9" such that the paragraph will read:

"For requests for site plan reviews and special permits in the Needham Center Overlay District and the Lower Chestnut Street Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Sections 3.8 and 3.9 of this By-Law."

Or take any other action relative thereto.

Article Explanation: Article 4, in combination with Article 7, proposes to create the Lower Chestnut Street Overlay District. Article 4 provides the overlay district's regulatory framework while Article 7 describes its geographic boundaries. The boundaries of the Lower Chestnut Street Overlay District coincide with the boundaries of the present Chestnut Street Business District south of Great Plain Avenue. The Lower Chestnut Street Overlay District is very similar to, and frequently cross-references, the Needham Center Overlay District described in Article 3 above.

Designation of the District

The Lower Chestnut Street Overlay District is bounded on the north by Keith Place and the northern property line of the Fire-Police Station Building; on the east by the existing zoning boundary line between the Chestnut Street Business District and residentially zoned districts; on the south by Junction Street and the MBTA commuter railroad right-of-way; and on the west by the same commuter railroad right-of-way, which also serves as the existing zoning boundary line between the Chestnut Street Business and General Residence District.

Purpose of the District

The purposes of the Lower Chestnut Street Overlay District are to encourage infill development and redevelopment of existing properties in a manner that brings buildings closer to the street, resulting in layouts and designs of sites, and buildings and landscaping that are conducive to more enjoyable use by pedestrians; to reorganize and consolidate curb cuts through appropriate access-management controls to improve both vehicular and pedestrian safety; and to create opportunities for Chestnut Street to emerge as an attractive, safe, pedestrian-friendly street, substantially as set forth in the Needham Center Development Plan.

Permitted Uses

Uses allowed as-of-right in the underlying Chestnut Street Business District are also allowed as-of-right in the Lower Chestnut Street Overlay District. In addition, a mixed-use building with up to five dwelling units is allowed as-of-right in the overlay district. With the exception of automobile service stations, the special permit business uses in the underlying district are allowed in the overlay district. Mixed-use buildings with more than five dwelling units and mixed-use developments, or developments with multiple buildings containing a mix of uses, are allowed by special permit as well.

Lot Area and Frontage

The Lower Chestnut Street Overlay District requires a larger minimum lot area (15,000 sq. ft.) and more lot frontage (100 ft.) than the Chestnut Street Business District (10,000 sq. ft. and 80

ft.). The purpose of these dimensional standards is to encourage parcel assembly and consolidate curb cuts.

Minimum Side and Rear Setbacks

For lots adjacent to the MBTA right-of-way, the minimum yard setback is twenty-five (25) feet from the lot line abutting the MBTA right-of-way. The ten (10) feet of the setback closest to the MBTA right-of-way must be suitably landscaped and not used for any other purpose except surface parking, if approved by special permit from the Planning Board. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, but an underground parking structure would be allowed if located entirely below the grade of the existing lot.

For lots abutting a residential district, the minimum yard setback is fifty (50) feet from the district boundary. The twenty-five (25) feet closest to the district boundary must be suitably landscaped and not used for any other purpose. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot setback provided the garage structure is located entirely below the grade of the existing lot and is set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater. The twenty-five (25) feet closest to the district boundary must be suitably landscaped over the surface of the garage structure.

Building Height Requirements

Much like the Needham Center Overlay District, the Lower Chestnut Street Overlay District provides for a special permit to increase the maximum building height from the as-of-right standard of two and one-half stories and thirty-five (35) feet to three stories and thirty-seven (37) feet or four stories and forty-eight (48) feet, i.e., a 3+1 story building. However, the special permit option applies only to properties with conforming frontage on Chestnut Street. In the Lower Chestnut Street Overlay District, "conforming frontage" means 100 ft.

Building Bulk and Other Requirements

The proposed maximum FAR in the Lower Chestnut Street Overlay District is 0.7. For lots with conforming frontage (100 ft.) on Chestnut Street, the Planning Board has authority to grant special permits for an increase in the maximum FAR to 1.5 or 2.0, subject to the same two-tier standards that apply in the Needham Center Overlay District.

Parking Waivers and the Off-Street Parking Fund

The Lower Chestnut Street Overlay District contains the same provisions for parking waivers and Off-Street Parking Fund payments that apply in the Needham Center Overlay District.

Affordable Housing

The Lower Chestnut Street Overlay District contains the same affordable housing provisions that apply in the Needham Center Overlay District.

MOVED: That the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

"LC -- Lower Chestnut Street Overlay"

- (b) Amend Section 3, Use Regulations, by adding a new Subsection 3.9, Lower Chestnut Street Overlay District, to read as follows:

3.9 Lower Chestnut Street Overlay District

3.9.1 Purposes of District

The purposes of the Lower Chestnut Street Overlay District are to encourage redevelopment of existing properties in a manner that brings buildings close to the street, with landscaping and layouts and designs of sites and buildings conducive to pedestrian use; to reorganize and consolidate curb cuts through appropriate access management controls; and to create opportunities for Chestnut Street to serve as an attractive, safe, pedestrian-friendly street, substantially as set forth in the Needham Center Development Plan dated March 30, 2009. Toward these ends, development in the Lower Chestnut Street Overlay District shall be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the design guidelines and all other requirements of this Section.

3.9.2 Scope of Authority

In the Lower Chestnut Street District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Lower Chestnut Street Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.9, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Lower Chestnut Street Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Lower Chestnut Street Overlay District shall not apply.

3.9.3 Use Regulations

3.9.3.1 Permitted Uses

The following uses are permitted in the Lower Chestnut Street Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) All uses permitted as of right in the underlying district.
- (c) Mixed-use building, not exceeding five dwelling units per building, with dwelling units allowed above the ground floor only.

- (d) Accessory uses permitted as of right in the underlying district.

3.9.3.2 Special Permit Uses

The following uses are permitted in the Lower Chestnut Street Overlay District only upon the issuance of a Special Permit by the Planning Board under such conditions as it may require:

- (a) Business uses allowed by special permit in the underlying district, excluding an automobile service station.
- (b) Mixed-use building containing six or more dwelling units in a building, with dwelling units located on floors above the ground floor or on the ground floor, provided that:
 - (1) Entrances to ground-floor dwelling units are located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building; and
 - (2) The ground floor of the front façade contains only retail, restaurant or office uses allowed by right or by special permit.
- (c) Mixed-use development, provided that at least sixty (60) percent of the front side of the lot facing Chestnut Street, measured in percentage of linear feet of frontage, shall be occupied by a building or buildings located within twenty (20) feet of the street line, said building(s) to contain permitted business uses and which may contain upper-story dwelling units. Free-standing multi-family dwelling(s) associated with a mixed-use development shall be located toward the rear of the site and be connected to building(s) facing the street by means of landscaped walkways or a courtyard.
- (d) Accessory uses permitted by special permit in the underlying district.

3.9.3.3 Multiple Buildings and Uses

In the Lower Chestnut Street Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.9 of this By-Law.

3.9.3.4 Special Permit, Parking Garage

The Planning Board may issue a Special Permit for a parking garage or parking structure for more than three (3) vehicles, including both enclosed and open structures, above and below ground, serving uses within the area covered by the Downtown Development Plan, where the parking garage or structure is located within 1,000 feet of the uses it serves, subject to such setback requirements as the Planning Board may impose.

3.9.4 Dimensional Regulations

3.9.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Lower Chestnut Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 100 feet.
- (c) Minimum Front Setback: The lesser of 5 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development.
- (d) Maximum Front Setback: 15 feet from the front property line.
- (e) Minimum Side and Rear Setback:
 - (1) For lots abutting a residential district, fifty (50) feet from the lot line abutting the residential district; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, the twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.2 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.
 - (2) For lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of twenty-five (25) feet from the lot line abutting the MBTA right-of-way, and the first ten (10) feet of the setback shall be suitably landscaped and not used for any other purpose, including an accessory use, except that within said ten (10) feet the Planning Board may grant a special permit for surface parking, provided that the parking area is suitably landscaped. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, except that within said fifteen (15) feet an underground parking structure is

permitted if located entirely below the grade of the existing lot.

3.9.4.2 Building Height Requirements

The maximum building height in the Lower Chestnut Street Overlay District shall be two and one-half stories and thirty-five feet as of right. For lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit for a maximum building height of three stories and thirty-seven feet or four stories and forty-eight (48) feet, provided that the fourth story is located under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines under Section 3.9.8 below.

Buildings in the Lower Chestnut Street Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.

3.9.4.3 Building Bulk and Other Requirements

The maximum floor area ratio in the Lower Chestnut Street Overlay District shall be 0.70, except that for lots having the required minimum frontage on Chestnut Street, the Planning Board may grant a Special Permit to increase the maximum floor area ratio as provided in subsections (a) and (b) below. The area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio under this section. Uses in the Lower Chestnut Street Overlay District shall not be subject to any other limitations on floor area ratio or building bulk such as those contained in Section 4.4.2.

- (a) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 1.5, subject to the decision standards in Section 3.9.7.
- (b) The Planning Board may grant a Special Permit to increase the maximum floor area ratio to 2.0, subject to the decision standards in Section 3.9.7 and the following additional requirements:
 - (1) Off-street parking located on the site or provided through a shared agreement on another property within 1,000 feet of the site, in a form acceptable to the Planning Board, shall be required as a condition of special permit approval; and
 - (2) No waivers of minimum parking requirements or payment of fees in lieu of off-street parking spaces under Section 3.9.5 shall be allowed.

3.9.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 shall apply in the Lower Chestnut Street Overlay District.

- (a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:

- (1) For any building in which more than forty (40) percent of the usable floor area is located above the ground floor, the minimum number of off-street parking spaces for upper-story business uses shall be eighty (80) percent of the number of spaces that would be required under Section 5.1.2, except that this reduction shall not apply to medical, dental and related health services or clinics.

- (2) For dwelling units in a mixed-use building or mixed-use development, the minimum number of off-street parking spaces shall be one and one-half spaces per dwelling unit.

- (b) In addition to the requirement for bicycle racks under Section 5.1.3(n), for a mixed-use building or mixed-use development, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.

3.9.5.1 Needham Center Off-Street Parking Fund

- (a) A Special Permit may be granted to allow payment of a fee in lieu of the minimum number of off-street parking spaces required under this Section, if the Planning Board determines that:
 - (1) The applicant has reasonably demonstrated that it is uneconomic to accommodate all of the required parking spaces on the lot, given the area and shape of the lot, or under the building, given the size of the project;
 - (2) The applicant has reasonably demonstrated that it is not feasible to accommodate the required number of parking spaces through a combination of on-site parking and shared parking with an adjoining property; and
 - (3) The project has been designed to the extent feasible to reduce the required number of off-street parking spaces, e.g., a multi-story building with upper-story uses that qualify for reduced parking, as provided under Section 3.9.5(a).
- (b) The fee shall be computed on a per-space basis and paid into a special revenue fund known as the Needham Center Off-Street Parking Fund, to be used solely for the purpose of providing shared or public parking benefiting uses within the area covered by the Downtown Needham Development Plan.
- (c) The fee shall be determined by the Planning Board in accordance with the Needham Center Development Plan or the Town of Needham Capital Improvements Plan, as applicable, and paid by the applicant in two installments: one-half prior to the receipt of a building permit and one-half prior to receipt of a certificate of occupancy, unless the applicant chooses to pay the entire fee prior to receipt of a building permit.

3.9.6 Affordable Housing

Mixed-use buildings or mixed-use developments with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.9.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.

3.9.7 Site Plan Review

For any project seeking a Special Permit under Sections 3.9.4.1, 3.9.4.2 or 3.9.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following review criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Lower Chestnut Street Overlay District and conforms to the Design Guidelines under Section 3.9.8;
- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable to redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;
- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

- (1) Affordable housing units;

- (2) Use of one or more renewable energy sources in the operation of the project;

- (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or provided through payment of fees in lieu of off-street parking spaces except where such payment of fees is not allowed for a Special Permit under Section 3.9.4.3(b).

3.9.8 Design Guidelines

The Design Guidelines for the Lower Chestnut Street Overlay District shall be as adopted by the Planning Board and available on file in the Needham Planning Department."

- (c) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Amend the paragraph after Neighborhood Business District by inserting after "Needham Center Overlay District" the words "and Lower Chestnut Street Overlay District" such that the paragraph will read as follows:

"In the Needham Center Overlay District and Lower Chestnut Street Overlay District, a MAJOR PROJECT shall be as defined above in the Center Business District."

Under MINOR PROJECT, amend the paragraph after Medical Overlay District by inserting after "Needham Center Overlay District" the words "and Lower Chestnut Street Overlay District" such that the paragraph will read as follows:

"In the Needham Center Overlay District and Lower Chestnut Street Overlay District, a MINOR PROJECT shall be as defined above in the Center Business District."

- (d) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.9 between "3.8" and "4.2.4," such that the revised sentence shall read:

"The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law."

- (e) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after "Chestnut Street Business District" the

words, "Lower Chestnut Street Overlay District" such that the paragraph will read:

"The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Lower Chestnut Street Overlay District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as "Major" or "Minor Projects" under Site Plan Review."

Under Section 7.7.4 Design Criteria, amend the paragraph after the paragraph which begins, "In addition to paragraph (4) above..." by inserting after "Needham Center Overlay District" the words, "and the Lower Chestnut Street Overlay District and by revising the "Section 3.8" reference to read "Sections 3.8 and "3.9" such that the paragraph will read:

"For requests for site plan reviews and special permits in the Needham Center Overlay District and the Lower Chestnut Street Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Sections 3.8 and 3.9 of this By-Law."

ACTION: The main motion under Article 4 was presented and carried by two-thirds vote as declared by the Moderator.

ARTICLE 5: AMEND ZONING BY-LAW – GARDEN STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

"GS – Garden Street Overlay"

- (b) Amend Section 3, Use Regulations, by inserting a new Subsection 3.10, Garden Street Overlay District, to read as follows:

"3.10 Garden Street Overlay District"

3.10.1 Purposes of District

The purposes of the Garden Street Overlay District are to encourage redevelopment and a modest intensification of use of existing properties in a manner

compatible in scale and design with adjacent residential neighborhoods, with layouts and designs of sites and buildings conducive to pedestrian use, substantially as set forth in the Needham Center Development Plan dated March 30, 2009.

3.10.2 Scope of Authority

In the Garden Street Overlay District, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Garden Street Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.10, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Garden Street Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Garden Street Overlay District shall not apply.

3.10.3 Use Regulations

3.10.3.1 Permitted Uses

Uses permitted as of right in the Lower Chestnut Street Overlay District shall also be permitted as of right in the Garden Street Overlay District, excluding retail establishments.

3.10.3.2 Special Permit Uses

The following uses may be allowed by Special Permit in Garden Street Overlay District:

- (a) Multi-family dwelling.
- (b) Mixed-use building that includes six or more dwelling units or any retail use allowed in the underlying district, subject to the requirements of Section 3.9.3.2(b).

3.10.3.3 Multiple Buildings and Uses

In the Garden Street Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.10 of this By-Law.

3.10.4 Dimensional Regulations

3.10.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Garden Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 80 feet.
- (c) Minimum Front Setback: The lesser of 10 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development.
- (d) Minimum Side and Rear Setback: 10 feet.

3.10.4.2 Building Height Requirements

The maximum building height in the Garden Street Overlay District shall be two and one-half stories and thirty-five (35) feet or, by Special Permit from the Planning Board, three stories and thirty-seven (37) feet, provided that the third story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines in Section 3.10.8 below. Buildings in the Garden Street Overlay District shall not be further subject to the maximum height regulations of the underlying district as contained in Section 4.4.3.

3.10.4.3 Building Bulk and Other Requirements

The maximum floor area ratio in the Garden Street Overlay District shall be 0.70. By Special Permit from the Planning Board, the maximum floor area ratio may be increased to 1.20 for a mixed-use building(s) and to 1.0 for a multi-family dwelling(s). The area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio under this section. Uses in the Garden Street Overlay District shall not be subject to any other limitations on floor area ratio or building bulk such as those contained in Section 4.4.2.

3.10.5 Off-Street Parking

The off-street parking regulations that apply in the Lower Chestnut Street Overlay District shall also apply in the Garden Street Overlay District.

3.10.6 Affordable Housing

Any building or combination of buildings with six or more dwelling units on the lot shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.10.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.

3.10.7 Site Plan Review

For any project seeking a Special Permit under Section 3.10.4.2 or Section 3.10.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following review criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;
- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;
- (c) The degree to which the proposed project is consistent with the purposes of the Garden Street Overlay District and conforms to the Design Guidelines under Section 3.10.8;
- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;
- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;
- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;
- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:
 - (1) Affordable housing units;
 - (2) Use of one or more renewable energy sources in the operation of the project;
 - (3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or provided through payment of fees in lieu of off-street parking spaces.

3.10.8 Design Guidelines

The Design Guidelines for the Garden Street Overlay District shall be as adopted, and as may be amended from time to time, by the Planning Board and available on file in the Needham Planning Department."

- (c) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2
Definitions:

Under MAJOR PROJECT:

Amend the paragraph after Neighborhood Business District by deleting the word “and” between “District” and “Lower” and inserting after “Lower Chestnut Street Overlay District” the words “or Garden Street Overlay District” such that the paragraph will read as follows:

“In the Needham Center Overlay District, Lower Chestnut Street Overlay District, or Garden Street Overlay District, a MAJOR PROJECT shall be as defined above in the Center Business District.”

Under MINOR PROJECT, amend the paragraph after Medical Overlay District by deleting the word “and” between “District” and “Lower” and inserting after “Lower Chestnut Street Overlay District” the words “or Garden Street Overlay District” such that the paragraph will read as follows:

“In the Needham Center Overlay District, Lower Chestnut Street Overlay District, or Garden Street Overlay District, a MINOR PROJECT shall be as defined above in the Center Business District.”

(d) Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.10 between “3.9” and “4.2.4,” such that the revised sentence shall read:

“The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 3.10, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law.”

(e) Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after “Lower Chestnut Street Overlay District” the words, “Garden Street Overlay District” such that the paragraph will read:

“The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Lower Chestnut Street Overlay District, Garden Street Overlay District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1

District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as “Major” or “Minor Projects” under Site Plan Review.”

Under Section 7.7.4 Design Criteria, amend the paragraph after the paragraph which begins, “In addition to paragraph (4) above...” by adding a reference to the “Garden Street Overlay District” and “Section 3.10” of the By-Law such that the paragraph will read:

“For requests for site plan reviews and special permits in the Needham Center Overlay District, the Lower Chestnut Street Overlay District and the Garden Street Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Sections 3.8, 3.9 and 3.10 of this By-Law.”

Or take any other action relative thereto.

Article Explanation: Article 5, in combination with Article 8, proposes to create the Garden Street Overlay District. Article 5 provides the overlay district's regulatory framework while Article 8 describes its geographic boundaries. The boundaries of the Garden Street Overlay District coincide with the boundaries of the present Chestnut Street Business District north of Great Plain Avenue.

Designation of the District

The Garden Street Overlay District is bounded on the north by May Street, on the east by the MBTA commuter railroad right-of-way, on the south by Eaton Square, and on the west by Garden Street.

Purpose of the District

The purpose of the Garden Street Overlay District is to encourage redevelopment and a modest intensification of use of existing properties in a manner compatible in scale and design with adjacent residential neighborhoods, with layouts and designs of sites, and buildings and landscaping that are conducive to pedestrian use, substantially as set forth in the Needham Center Development Plan.

Permitted Uses

Uses allowed as-of-right in the Lower Chestnut Street Overlay District and in the underlying Chestnut Street Business District are also allowed as-of-right in the Garden Street Overlay District, with the exception of retail establishments. Retail establishments, as well as multi-family dwellings and mixed-use buildings with more than six units are allowed only by special permit. Finally, unlike the Chestnut Street Business District, restaurant uses are not permitted by special permit in the Garden Street Overlay District.

Lot Area and Frontage

The Garden Street Overlay District requires the same minimum lot area (10,000 sq. ft.) as the underlying Chestnut Street Business District, but increases the minimum lot frontage requirement from

0 ft.) to (100 ft.) as is the case in the Lower Chestnut Street Overlay District.

Minimum Side and Rear Setbacks

In the Garden Street Overlay District, a minimum side and rear yard setback of 10 ft is required.

Building Height Requirements

The Garden Street Overlay District provides for a special permit to increase the maximum building height from the as-of-right standard of two and one-half stories and thirty-five (35) feet to three stories and thirty-seven (37) feet as long as the third story is contained under a pitched roof or recessed from the face of the building, i.e., a 2+1 story building.

Building Bulk and Other Requirements

The Garden Street Overlay District includes a maximum FAR of 0.7, just like the underlying Chestnut Street Business District. The Planning Board may issue a special permit to increase the maximum FAR to 1.0 for multi-family dwellings and 1.2 for all other uses.

Parking Waivers and the Off-Street Parking Fund

The Garden Street Overlay District contains the same off-street parking provisions as the Lower Chestnut Street Overlay District.

Affordable Housing

In the Garden Street Overlay District, mixed-use buildings and multi-family dwellings are subject to the same affordable housing provisions that apply in the Lower Chestnut Street Overlay District.

MOVED: That the Town vote to amend the Needham Zoning By-law, as follows:

- a) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“GS — Garden Street Overlay”

- b) Amend Section 3, Use Regulations, by inserting a new Subsection 3.10, Garden Street Overlay District, to read as follows:

“3.10 Garden Street Overlay District

3.10.1 Purposes of District

The purposes of the Garden Street Overlay District are to encourage redevelopment and a modest intensification of use of existing properties in a manner compatible in scale and design with adjacent residential neighborhoods, with layouts and designs of sites and buildings conducive to pedestrian use, substantially as set forth in the Needham Center Development Plan dated March 30, 2009.

3.10.2 Scope of Authority

In the Garden Street Overlay District, all requirements of the underlying district shall remain in effect except

where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a proponent wishes to develop in accordance with the regulations hereunder, the rules and regulations of the Garden Street Overlay District shall apply, and by filing an application for a Special Permit, site plan review or building permit under this Section 3.10, the owner shall be deemed to accept and agree to them. In such event, where the provisions of the Garden Street Overlay District are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

If the proponent elects to proceed under the zoning provisions of the underlying district, the zoning bylaws applicable in the underlying district shall control and the provisions of the Garden Street Overlay District shall not apply.

3.10.3 Use Regulations

3.10.3.1 Permitted Uses

Uses permitted as of right in the Lower Chestnut Street Overlay District shall also be permitted as of right in the Garden Street Overlay District, excluding retail establishments.

3.10.3.2 Special Permit Uses

The following uses may be allowed by Special Permit in Garden Street Overlay District:

- (a) Multi-family dwelling.
- (b) Mixed-use building that includes six or more dwelling units or any retail use allowed in the underlying district, subject to the requirements of Section 3.9.3.2(b).

3.10.3.3 Multiple Buildings and Uses

In the Garden Street Overlay District, more than one use may be located on a lot as a matter of right and/or more than one building may be located on a lot by special permit, provided that each building and/or its use(s) are in compliance with the requirements of Section 3.10 of this By-Law.

3.10.4 Dimensional Regulations

3.10.4.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply to development in the Garden Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet.
- (b) Minimum Lot Frontage: 80 feet.
- (c) Minimum Front Setback: The lesser of 10 feet from the front property line or the average setback of abutting buildings within 100 feet

on the same side of the street as the proposed development.

- (d) Minimum Side and Rear Setback: 10 feet.

3.10.4.2 Building Height Requirements

The maximum building height in the Garden Street Overlay District shall be two and one-half stories and thirty-five (35) feet or, by Special Permit from the Planning Board, three stories and thirty-seven (37) feet, provided that the third story is contained under a pitched roof or recessed from the face of the building, as shown in the Design Guidelines in Section 3.10.8 below. Buildings in the Garden Street Overlay District shall not be further subject to the maximum height regulations of the underlying district as contained in Section 4.4.3.

3.10.4.3 Building Bulk and Other Requirements

The maximum floor area ratio in the Garden Street Overlay District shall be 0.70. By Special Permit from the Planning Board, the maximum floor area ratio may be increased to 1.20 for a mixed-use building(s) and to 1.0 for a multi-family dwelling(s). The area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio under this section. Uses in the Garden Street Overlay District shall not be subject to any other limitations on floor area ratio or building bulk such as those contained in Section 4.4.2.

3.10.5 Off-Street Parking

The off-street parking regulations that apply in the Lower Chestnut Street Overlay District shall also apply in the Garden Street Overlay District.

3.10.6 Affordable Housing

Any building or combination of buildings with six or more dwelling units on the lot shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.10.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.

3.10.7 Site Plan Review

For any project seeking a Special Permit under Section 3.10.4.2 or Section 3.10.4.3, or for any project proceeding under these overlay district provisions which also constitutes a Major Project under Section 7.4.2, the Planning Board shall consider, in addition to the factors set forth in Section 7.4.6, the following review criteria:

- (a) The adequacy of existing facilities to serve the proposed development, including but not limited to water supply, sewer, natural gas and electric service;

- (b) The degree to which the proposed project, viewed in its entirety, will make a significant contribution to the urban design and economic development goals set forth in the Needham Center Development Plan;

- (c) The degree to which the proposed project is consistent with the purposes of the Garden Street Overlay District and conforms to the Design Guidelines under Section 3.10.8;

- (d) The degree to which the applicant's proposal has been designed to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking;

- (e) For applications involving an increase in building height or bulk by special permit, the degree to which the applicant has reasonably demonstrated that the additional height or floor area is desirable for redevelopment of the site, considering the site's location and physical characteristics and the condition of existing improvements;

- (f) The degree to which the proposed project incorporates as many green building standards as practical, given the type of building and proposed uses;

- (g) The degree to which the proposed project provides a significant public benefit through its inclusion of at least one of the following:

(1) Affordable housing units;

(2) Use of one or more renewable energy sources in the operation of the project;

(3) Off-street parking sufficient to accommodate the proposed uses, located on the site or provided through a shared parking arrangement acceptable to the Planning Board; or provided through payment of fees in lieu of off-street parking spaces.

3.10.8 Design Guidelines

The Design Guidelines for the Garden Street Overlay District shall be as adopted, and as may be amended from time to time, by the Planning Board and available on file in the Needham Planning Department."

- (c) Amend Section 7.4 Site Plan Review as follows:

Make the following changes to Section 7.4.2 Definitions:

Under MAJOR PROJECT:

Amend the paragraph after Neighborhood Business District by deleting the word "and" between "District" and "Lower" and inserting after "Lower Chestnut Street Overlay District" the words "or Garden Street Overlay District" such that the paragraph will read as follows:

"In the Needham Center Overlay District, Lower Chestnut Street Overlay District, or Garden Street Overlay District, a MAJOR PROJECT shall be as defined above in the Center Business District."

Under MINOR PROJECT, amend the paragraph after Medical Overlay District by deleting the word "and" between "District" and "Lower" and inserting after "Lower Chestnut Street Overlay District" the words "or Garden Street Overlay District" such that the paragraph will read as follows:

"In the Needham Center Overlay District, Lower Chestnut Street Overlay District, or Garden Street Overlay District, a MINOR PROJECT shall be as defined above in the Center Business District."

Amend Section 7.6 Planning Board as follows:

Under Section 7.6.1 Special Permit Granting Authority, amend the first sentence by inserting a reference to Section 3.10 between "3.9" and "4.2.4," such that the revised sentence shall read:

"The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 3.10, 4.2.4, 4.2.5, 4.2.6, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8, and 7.4 of this By-Law."

Amend Section 7.7 Design Review as follows.

Under Section 7.7.2.2 Authority and Specific Powers, amend the first sentence of the second paragraph by inserting after "Lower Chestnut Street Overlay District" the words, "Garden Street Overlay District" such that the paragraph will read:

"The Design Review Board shall review permit applications for all new structures and outdoor uses, exterior additions, exterior alterations and exterior changes in all areas zoned as a Business District, Chestnut Street Business District, Lower Chestnut Street Overlay District, Garden Street Overlay District, Center Business District, Needham Center Overlay District, Avery Square Business District, Hillside Avenue Business District, Neighborhood Business District, New England Business Center District, Highland Commercial-128 District, Mixed Use-128 District, Industrial District, Industrial-1 District, Industrial Park District or Institutional District (excluding single and two-family uses), which require a building permit under the Massachusetts State Building Code – but which are not related to projects previously reviewed as "Major" or "Minor Projects" under Site Plan Review."

Under Section 7.7.4 Design Criteria, amend the paragraph after the paragraph which begins, "In addition to paragraph (4) above..." by adding a reference to the "Garden Street Overlay District" and "Section 3.10" of the By-Law such that the paragraph will read:

"For requests for site plan reviews and special permits in the Needham Center Overlay District, the Lower Chestnut Street Overlay District and the Garden Street Overlay District, the Design Review Board shall consider, in addition to paragraphs (1) through (5) above, the design guidelines set forth in Sections 3.8, 3.9 and 3.10 of this By-Law."

ACTION: The main motion under Article 5 was presented and carried by two-thirds vote as declared by the Moderator.

ARTICLE 6: AMEND ZONING BY-LAW – MAP CHANGE TO NEEDHAM CENTER OVERLAY DISTRICT, NEEDHAM CENTER OVERLAY SUB-DISTRICT A AND NEEDHAM CENTER OVERLAY SUB-DISTRICT B

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map as follows:

- (a) Place in the Needham Center Overlay District all that land described under Article 12 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Center Business District, said description being as follows:

"Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of Great Plain Avenue and Pickering Street; then running northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running westerly and northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to a point where it intersects with the centerline of Highland Avenue; then running northerly along said centerline of Highland Avenue to a point where it intersects with the centerline of May Street; then running westerly along said centerline of May Street to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line; then running southerly along said right-of-way centerline to a point where it intersects with a line drawn through the southernmost point of Parcel 17, Assessors' Plan 51 and also drawn perpendicular to the centerline of Eaton Square; then running westerly along said drawn line to a point where it intersects with the centerline of Eaton Square; then running northerly, northwesterly and westerly along said street centerline to a point where it intersects with the centerline of Garden Street; then running southerly along the centerline of Garden Street, which coincides with the boundary line between the existing Business District and a Single Residence B District to a point where said zoning boundary line turns westerly; then running westerly, northerly, westerly, northerly and westerly along said zoning boundary line to a point where it intersects with the centerline of Nehoiden Street; then running southeasterly along said street centerline, which coincides with the boundary line between the existing Business District and a Single

Residence B District, to a point where it intersects with the centerline of Great Plain Avenue; then running westerly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where it intersects with the centerline of Linden Street; then running southerly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where said zoning boundary line turns easterly; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running northerly and easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and an Industrial District; then running northerly and easterly along said zoning boundary line to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line, which coincides with the boundary line between the existing Business District and an Industrial District; then running southerly along said right-of-way centerline to a point where it intersects with the extended centerline of Keith Place; then running easterly along said street centerline to a point where it intersects with the centerline of Chestnut Street; then running southerly along said street centerline to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running northerly along said zoning boundary line to a point where it turns easterly; then running easterly along said zoning boundary line to a point where it intersects with the centerline of Lincoln Street, which coincides with the boundary line between the existing Business District and a General Residence District; then running northerly along said zoning boundary line to a point where it intersects with the centerline of Dedham Avenue, which coincides with the boundary line between the existing Business District and a General Residence District; then running southeasterly along said boundary line to a point where it turns northeasterly; then running northeasterly, southeasterly, and northeasterly along said zoning boundary line to a point where it intersects with a boundary line between the existing Business District and a Single Residence B District; then running westerly and northerly along said zoning boundary line to a point where it intersects with the centerline of Great Plain Avenue, which coincides with the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to the beginning point."

- (b) Place in the Needham Center Overlay as Sub-District A the area bounded and described as follows:

"Beginning at the point of intersection of the centerlines of Great Plain Avenue and Pickering Street; thence running northerly along the centerline of Pickering Street to a point 75 feet north of the northerly sideline of Great Plain Avenue; thence turning and running westerly along a line parallel to and 75 feet distant from the northerly sideline of Great Plain

Avenue to the centerline of Highland Avenue; thence turning and running southerly along the centerline of Highland Avenue to the point of intersection of the centerlines of Highland Avenue and Great Plain Avenue; thence turning and running westerly along the centerline of Great Plain Avenue to the point of intersection of the centerlines of Great Plain Avenue and Chapel Street; thence turning and running northerly along the centerline of Chapel Street to a point 75 feet north of the northerly sideline of Great Plain Avenue; thence turning and running westerly along a line parallel to and 75 feet distant from the northerly sideline of Great Plain Avenue to the centerline of the MBTA railroad right of way; thence turning and running southerly along the centerline of the MBTA railroad right of way to the point of intersection of the centerline of the MBTA railroad right of way and the centerline of Keith Place; thence turning and running easterly along the centerline of Keith Place to the point of intersection of the centerlines of Keith Place and Chestnut Street; thence turning and running southerly along the centerline of Chestnut Street to a point opposite the property line dividing the Needham Police and Fire Station property (Assessor's Map 47 Parcel 56) and the property shown on Assessor's Map 47 Parcel 57, said property line being more fully described as the southerly property line on a plan recorded at the Norfolk County Registry of Deeds as Plan 18 of 2008; thence turning and running easterly along said southerly property line a distance of approximately 249.99 feet to the easterly property line as shown on said plan; thence turning and running northerly along said easterly property line a distance of approximately 100.29 feet as shown on said plan; thence running in a northerly direction to a stone bound located at the southwesterly property corner of the First Parish Church property, said property corner being more fully described on a plan recorded in the Norfolk County Registry of Deeds (NCRD) as Plan 538 of 1944; thence turning and running easterly along the southerly property line of the said First Parish Church property a distance of approximately 157.65 feet as shown on said plan; thence running easterly to a point on the centerline of Lincoln Street opposite the southerly property line of the said First Parish Church property; thence turning and running northerly along the centerline of Lincoln Street to the point of intersection of the centerlines of Lincoln Street and Dedham Avenue; thence turning and running easterly along the centerline of Dedham Avenue to a point opposite the property line dividing the Town of Needham Parking Area property (Assessor's Map 47 Parcel 8) recorded in the NCRD as Lot 7A on plan 1570 of 1952 and the property shown on Assessor's Map 47 Parcel 5 and recorded in the NCRD as Lots 8A and 7D on plan 885 of 1961; thence turning and running northerly along said dividing property line approximately 139.55 feet to the northwesterly property corner of Lot 7A shown on NCRD plan 1570 of 1952; thence turning and running easterly along the northeasterly property line of Lot 7A recorded in NCRD as plan 1570 of 1952 a distance of approximately 95.17 feet; thence turning and running northerly a distance of approximately 22.73 feet to the northeasterly property corner of Lot 7B as shown on a plan recorded in the NCRD as plan 1570 of 1952; thence turning and running westerly along the northerly property line of said Lot 7B and the northerly property line of the property recorded in the NCRD as plan 885

of 1961 to a point at the southeasterly corner of the property recorded in the Norfolk County Land Court as Case 11330; thence turning and running northerly along the easterly property line of Land Court Case 11330 a distance of approximately 156.80 to the northeasterly property corner, thence continuing northerly to a point on the centerline of Great Plain Avenue opposite the northeasterly property corner of Land Court Case 11330; thence turning and running westerly along the centerline of Great Plain Avenue to the point of beginning."

Place in the Needham Center Overlay as Sub-District B all that land described under Article 12 of the May 9, 1990 Annual Town Meeting, excepting the area described above in paragraph (b) as "Sub-District A".

take any other action relative thereto.

Article Explanation: This article describes the geographical boundaries of the new Needham Center Overlay District (Sub-District A and Sub-District B), which is bounded on the north by May Street and by the existing zoning boundary line between the Center Business and residentially zoned districts; on the east by Pickering Street and by the existing zoning boundary line between the Center Business and residentially zoned districts; on the south by the existing zoning boundary line between the Center Business and residentially zoned districts, and by Keith Place; and on the west by the existing zoning boundary line between the Center Business and Single Residence B District, and by Eaton Square and the MBTA commuter railroad right-of-way.

MOVED: That the Town vote to amend the Needham Zoning By-law by amending the Zoning Map as follows:

- (a) Place in the Needham Center Overlay District all that land described under Article 12 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Center Business District, said description being as follows:

"Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of Great Plain Avenue and Pickering Street; then running northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running westerly and northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to a point where it intersects with the centerline of Highland Avenue; then running northerly along said centerline of Highland Avenue to a point where it intersects with the centerline of May Street; then running westerly along said centerline of May Street to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line; then running southerly along said right-of-way centerline to a point where it intersects with a line drawn through the southernmost point of Parcel 17, Assessors' Plan 51 and also drawn perpendicular to the centerline of Eaton Square; then running westerly along said drawn line to a point where it intersects with the centerline of Eaton Square; then running northerly, northwesterly

and westerly along said street centerline to a point where it intersects with the centerline of Garden Street; then running southerly along the centerline of Garden Street, which coincides with the boundary line between the existing Business District and a Single Residence B District to a point where said zoning boundary line turns westerly; then running westerly, northerly, westerly, northerly and westerly along said zoning boundary line to a point where it intersects with the centerline of Nehoiden Street; then running southeasterly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where it intersects with the centerline of Great Plain Avenue; then running westerly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where it intersects with the centerline of Linden Street; then running southerly along said street centerline, which coincides with the boundary line between the existing Business District and a Single Residence B District, to a point where said zoning boundary line turns easterly; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running northerly and easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and an Industrial District; then running northerly and easterly along said zoning boundary line to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line, which coincides with the boundary line between the existing Business District and an Industrial District; then running southerly along said right-of-way centerline to a point where it intersects with the extended centerline of Keith Place; then running easterly along said street centerline to a point where it intersects with the centerline of Chestnut Street; then running southerly along said street centerline to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District; then running easterly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a General Residence District; then running northerly along said zoning boundary line to a point where it turns easterly; then running easterly along said zoning boundary line to a point where it intersects with the centerline of Lincoln Street, which coincides with the boundary line between the existing Business District and a General Residence District; then running northerly along said zoning boundary line to a point where it intersects with the centerline of Dedham Avenue, which coincides with the boundary line between the existing Business District and a General Residence District; then running southeasterly along said boundary line to a point where it turns northeasterly; then running northeasterly, southeasterly, and northeasterly along said zoning boundary line to a point where it intersects with a boundary line between the existing Business District and a Single Residence B District; then running westerly and northerly along said zoning boundary line to a point where it intersects with the centerline of Great Plain Avenue, which coincides with the boundary line between the existing Business District and a Single Residence B District; then running

westerly along said zoning boundary line to the beginning point."

- (b) Place in the Needham Center Overlay as Sub-District A the area bounded and described as follows:

"Beginning at the point of intersection of the centerlines of Great Plain Avenue and Pickering Street; thence running northerly along the centerline of Pickering Street to a point 75 feet north of the northerly sideline of Great Plain Avenue; thence turning and running westerly along a line parallel to and 75 feet distant from the northerly sideline of Great Plain Avenue to the centerline of Highland Avenue; thence turning and running southerly along the centerline of Highland Avenue to the point of intersection of the centerlines of Highland Avenue and Great Plain Avenue; thence turning and running westerly along the centerline of Great Plain Avenue to the point of intersection of the centerlines of Great Plain Avenue and Chapel Street; thence turning and running northerly along the centerline of Chapel Street to a point 75 feet north of the northerly sideline of Great Plain Avenue; thence turning and running westerly along a line parallel to and 75 feet distant from the northerly sideline of Great Plain Avenue to the centerline of the MBTA railroad right of way; thence turning and running southerly along the centerline of the MBTA railroad right of way to the point of intersection of the centerline of the MBTA railroad right of way and the centerline of Keith Place; thence turning and running easterly along the centerline of Keith Place to the point of intersection of the centerlines of Keith Place and Chestnut Street; thence turning and running southerly along the centerline of Chestnut Street to a point opposite the property line dividing the Needham Police and Fire Station property (Assessor's Map 47 Parcel 56) and the property shown on Assessor's Map 47 Parcel 57, said property line being more fully described as the southerly property line on a plan recorded at the Norfolk County Registry of Deeds as Plan 18 of 2008; thence turning and running easterly along said southerly property line a distance of approximately 249.99 feet to the easterly property line as shown on said plan; thence turning and running northerly along said easterly property line a distance of approximately 100.29 feet as shown on said plan; thence running in a northerly direction to a stone bound located at the southwesterly property corner of the First Parish Church property, said property corner being more fully described on a plan recorded in the Norfolk County Registry of Deeds (NCRD) as Plan 538 of 1944; thence turning and running easterly along the southerly property line of the said First Parish Church property a distance of approximately 157.65 feet as shown on said plan; thence running easterly to a point on the centerline of Lincoln Street opposite the southerly property line of the said First Parish Church property; thence turning and running northerly along the centerline of Lincoln Street to the point of intersection of the centerlines of Lincoln Street and Dedham Avenue; thence turning and running easterly along the centerline of Dedham Avenue to a point opposite the property line dividing the Town of Needham Parking Area property (Assessor's Map 47 Parcel 8) recorded in the NCRD as Lot 7A on plan 1570 of 1952 and the property shown on Assessor's Map 47 Parcel 5 and recorded in the NCRD as Lots 8A and 7D on plan 885 of 1961; thence turning and running

northerly along said dividing property line approximately 139.55 feet to the northwesterly property corner of Lot 7A shown on NCRD plan 1570 of 1952; thence turning and running easterly along the northeasterly property line of Lot 7A recorded in NCRD as plan 1570 of 1952 a distance of approximately 95.17 feet; thence turning and running northerly a distance of approximately 22.73 feet to the northeasterly property corner of Lot 7B as shown on a plan recorded in the NCRD as plan 1570 of 1952; thence turning and running westerly along the northerly property line of said Lot 7B and the northerly property line of the property recorded in the NCRD as plan 885 of 1961 to a point at the southeasterly corner of the property recorded in the Norfolk County Land Court as Case 11330; thence turning and running northerly along the easterly property line of Land Court Case 11330 a distance of approximately 156.80 to the northeasterly property corner; thence continuing northerly to a point on the centerline of Great Plain Avenue opposite the northeasterly property corner of Land Court Case 11330; thence turning and running westerly along the centerline of Great Plain Avenue to the point of beginning."

- (c) Place in the Needham Center Overlay as Sub-District B all that land described under Article 12 of the May 9, 1990 Annual Town Meeting, excepting the area described above in paragraph (b) as "Sub-District A".

ACTION: The main motion under Article 6 was presented and carried by two-thirds vote as declared by the Moderator.

ARTICLE 7: AMEND ZONING BY-LAW - MAP CHANGE TO LOWER CHESTNUT STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Lower Chestnut Street Overlay District all that land described in paragraph (a) under Article 10 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Chestnut Street Business District, said description being as follows:

"Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of School Street and Chestnut Street; then running northerly along the centerline of Chestnut Street to a point where it intersects with the centerline of Keith Place; then running westerly along the centerline of Keith Place to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line, said right-of-way centerline being the boundary line between the existing Business District and an Industrial District; then running southerly along said boundary line between the existing Business District and a General Residence District; then running southeasterly along said boundary line between the existing Business District and a Single Residence B District; then running northerly, easterly, northerly, easterly, northerly, westerly, northerly, westerly, northerly, westerly and northerly along said zoning boundary line to a point where it coincides with the boundary line between the existing Business District and a General Residence District; then running northerly, westerly and northerly along said zoning

boundary line to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District, which is coincidental with the centerline of School Street; then running westerly along said street centerline to the beginning point."

Or take any other action relative thereto.

Article Explanation: This article describes the geographical boundaries of the new Lower Chestnut Street Overlay District, which is bounded on the north by Keith Place and by the northern property line of the Fire-Police Station Building; on the east by the existing zoning boundary line between the Chestnut Street Business and by the residentially zoned districts; on the south by Garden Street and the MBTA commuter railroad right-of-way; and on the west by the same commuter railroad right-of-way, which also serves as the existing zoning boundary line between the Chestnut Street Business and General Residence District.

MOVED: That the Town vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Lower Chestnut Street Overlay District all that land described in paragraph (a) under Article 10 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Chestnut Street Business District, said description being as follows:

"Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of School Street and Chestnut Street; then running northerly along the centerline of Chestnut Street to a point where it intersects with the centerline of Keith Place; then running westerly along the centerline of Keith Place to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line, said right-of-way centerline being the boundary line between the existing Business District and an Industrial District; then running southerly along said boundary line between the existing Business District and a General Residence District; then running southeasterly along said boundary line between the existing Business District and a Single Residence B District; then running northerly, easterly, northerly, easterly, northerly, westerly, northerly, westerly, northerly, westerly and northerly along said zoning boundary line to a point where it coincides with the boundary line between the existing Business District and a General Residence District; then running northerly, westerly and northerly along said zoning boundary line to a point where it intersects with the boundary line between the existing Business District and a Single Residence B District, which is coincidental with the centerline of School Street; then running westerly along said street centerline to the beginning point."

ACTION: The main motion under Article 7 was presented and carried by two-thirds vote as declared by the Moderator.

ARTICLE 8: AMEND ZONING BY-LAW - MAP CHANGE TO GARDEN STREET OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Garden Street Overlay District all that land described in paragraph

(b) under Article 10 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Chestnut Street Business District, said description being as follows:

"Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of May Street and Garden Street; then running southerly, southwesterly and southeasterly along said zoning boundary line, which coincides with the centerline of Garden Street, to a point where it intersects with the centerline of Eaton Square; then running easterly, southeasterly and southerly along the centerline of Eaton Square to a point where it intersects with a line drawn perpendicular from the southernmost point of Parcel 17, Assessors' Plan 51; then running easterly along said perpendicular drawn line to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line; then running northerly along said right-of-way centerline to a point where it intersects with the centerline of May Street, said street centerline being the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to the beginning point."

Or take any other action relative thereto.

Article Explanation: This article describes the geographical boundaries of the new Garden Street Overlay District, which is bounded on the north by May Street; on the east by the MBTA commuter railroad right-of-way; on the south by Eaton Square; and on the west by Garden Street.

MOVED: That the Town vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Garden Street Overlay District all that land described in paragraph (b) under Article 10 of the May 9, 1990 Annual Town Meeting, superimposing that district over the existing Chestnut Street Business District, said description being as follows:

"Beginning at a point on the boundary line between the existing Business District and a Single Residence B District, where said boundary line coincides with the intersection of the centerlines of May Street and Garden Street; then running southerly, southwesterly and southeasterly along said zoning boundary line, which coincides with the centerline of Garden Street, to a point where it intersects with the centerline of Eaton Square; then running easterly, southeasterly and southerly along the centerline of Eaton Square to a point where it intersects with a line drawn perpendicular from the southernmost point of Parcel 17, Assessors' Plan 51; then running easterly along said perpendicular drawn line to a point where it intersects with the centerline of the right-of-way of the MBTA commuter railroad line; then running northerly along said right-of-way centerline to a point where it intersects with the centerline of May Street, said street centerline being the boundary line between the existing Business District and a Single Residence B District; then running westerly along said zoning boundary line to the beginning point."

ACTION: The main motion under Article 8 was presented and carried by two-thirds vote as declared by the Moderator.

ARTICLE 2: AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS (LIMITED EXCEPTION TO LOT COVERAGE REGULATIONS BY SPECIAL PERMIT)

To see if the Town will vote to amend the Zoning By-Law, Section 4.7.5, Reduction in Dimensional Regulations by Special Permit, by adding the following underlined language to the title and first and second paragraphs thereof so that the entire section shall now read as follows (new language underlined):

“4.7.5 Change in Dimensional Regulations by Special Permit

In Single Residence A, Single Residence B, and General Residence Districts, the minimum front setback and the minimum side and rear line setback requirements may be reduced by not more than 10 percent, or the maximum lot coverage allowed may be increased by not more than 10 percent over the square footage allowed, provided that the increase in the area of lot covered may not exceed 150 square feet, by special permit granted by the Board of Appeals where the Board finds that the special permit may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of this By-Law and subject to the provisions of Section 7.5.2.

This Section 4.7.5 shall apply only to buildings and structures that have been constructed pursuant to a building permit issued by the Building Inspector. The purpose of this Section is to allow relief only in those unusual cases where excusable neglect or inadvertence have resulted in the construction of portions of buildings or structures in required setback areas, or in excess of maximum lot coverage requirements.”

Or take any other action relative thereto.

Article Explanation: The purpose of this article is to allow in the Single Residence A, Single Residence B, and General Residence Districts, relief from the maximum lot coverage requirements of the district in those unusual cases where excusable neglect or inadvertence have resulted in the construction of a portion of a building or structure in excess of said coverage requirements. The relief granted would be limited to not more than 10 percent of the square footage otherwise allowed, not to exceed 150 square feet, by special permit granted by the Board of Appeals.

MOVED: That the Town vote to amend the Zoning By-Law, Section 4.7.5, Reduction in Dimensional Regulations by Special Permit, by adding the following underlined language to the title and first and second paragraphs thereof so that the entire section shall now read as follows (new language underlined):

“4.7.5 Change in Dimensional Regulations by Special Permit

In Single Residence A, Single Residence B, and General Residence Districts, the minimum front setback and the minimum side and rear line setback requirements may be reduced by not more than 10 percent, or the maximum lot coverage allowed may be increased by not more than 10 percent over the square footage allowed, provided that the increase in the area of lot covered may

not exceed 150 square feet, by special permit granted by the Board of Appeals where the Board finds that the special permit may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of this By-Law and subject to the provisions of Section 7.5.2.

This Section 4.7.5 shall apply only to buildings and structures that have been constructed pursuant to a building permit issued by the Building Inspector. The purpose of this Section is to allow relief only in those unusual cases where excusable neglect or inadvertence have resulted in the construction of portions of buildings or structures in required setback areas, or in excess of maximum lot coverage requirements.”

Mr. Ronald W. Ruth, member, addressed this proposal on behalf of the Planning Board. This article basically allows the zoning by-law to correct a mistake through the special permit process with the Board of Appeals. The minimum front setback and the minimum side and rear line setback may be reduced by not more than 10 percent or the maximum lot coverage could be increase by not more than 10 percent over the square footage allowed, not to exceed 150 square feet.

Mr. Maurice P. Handel, Selectman, advised that the Board of Selectmen unanimously supports this article.

Concern was expressed by Irwin Silverstein, Jane A. Howard, Damon J. Borrelli, and Kathleen M. Lewis as to who will determine whether or not a mistake is inadvertent. Jane A. Howard noted that if she made a 10% mistake, she would be fired. Mr. Ruth reiterated that the Zoning Board of Appeals will make the determination.

A motion to move the previous question was offered by Mr. Sam Bass Warner. The motion was presented and carried by two-thirds vote as declared on a voice vote.

ACTION: The main motion was presented, but the Moderator was in doubt. The motion was again presented, but the Chair was still in doubt. The following Town Meeting Members were sworn in as tellers by the Moderator: Erik J. Bailey, Irwin Silverstein, Caroline B. Edge, Meredith P. Page, William R. Dermody, Paula R. Callanan, Constance S. Barr, Matthew D. Borrelli, and Joseph P. Barnes. The motion was again presented and carried by a count of hands. The hand count was Yes 156 – No 35.

At 10:55 P.M. Mr. Gilbert W. Cox moved that the Annual Town Meeting stand adjourned to Wednesday May 6 2009 at 7:30 P.M. at the Newman School, and it was so voted by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy
Attest:

ADJOURNED ANNUAL TOWN MEETING

Wednesday, May 6, 2009

Pursuant to adjournment of the Annual Town Meeting held May 4, 2009, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Newman School on Wednesday May 6, 2009, at 7:30 P.M.

Check lists were used and 217 voters were checked on the list as being present, including 212 Town Meeting Members.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Rabbi Jay Perlman, Temple Beth Shalom, gave the invocation.

The Moderator introduced AFS student Bhasiree Kulwattottama from Thailand and her Needham family, Beth and Marty Kramer and Sister Natalie.

Article 10 was adopted unanimously on May 4, 2009.

Article 11 was previously withdrawn on May 4, 2009

Article 12 was previously withdrawn on May 4, 2009.

Article 13 was adopted unanimously on May 4, 2009.

Article 14 was adopted unanimously on May 4, 2009.

Discussion commended under Article 15:

**ARTICLE 15: ACCEPT M.G.L., CHAPTER 39,
SECTION 23D - ADJUDICATORY
HEARINGS/ATTENDANCE**

To see if the Town will vote to accept the provisions of M.G.L., Chapter 39, Section 23D relative to adjudicatory hearings, or take any other action relative thereto.

Article Information: *Adoption of the provisions of this statute would allow a member of a Town board or committee holding an adjudicatory hearing to vote on a matter even if that member has missed one session of the hearing at which testimony or other evidence is received. The proposed process will provide relief for adjudicatory bodies, particularly given that the nature of some hearings requires a pro-longed process, and that board and committee members have many competing obligations. A member who misses one meeting will still be able to participate in a vote on a particular matter, which will serve to prevent needless delay for petitioners.*

MOVED: That the Town vote to accept the provisions of M.G.L., Chapter 39, Section 23D relative to adjudicatory hearing.

Mr. Maurice P. Handel, Selectman, addressed this proposal on behalf of the Board of Selectmen. Acceptance of this

statute would provide relief for both the adjudicatory boards and the petitioners.

Mr. Richard Reilly, Member, recommended adoption of this proposal on behalf of the Finance Committee. This proposal is more efficient and does not change the quorum requirements.

ACTION: The main motion was presented and carried unanimously by voice vote.

**ARTICLE 16: AMEND GENERAL BY-LAW -
WETLANDS PROTECTION**

To see if the Town will vote to amend the General By-laws by adopting the following changes to Article 6:

(1) In Section 6.2, delete the word *or* from the phrase

"(4) within 100 feet *or* any lake, river, pond, stream or estuary"

and replace it with the word *of*.

(2) In the second paragraph of Section 6.4, delete the lowercase *w* from the phrase

"*w*etlands Protection Act"

and replace it with a capital *W*

(3) In the fourth paragraph of Section 6.4, delete the last sentence which currently reads:

"The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency."

and replace it with the following language:

The Commission may waive *or reduce* the filing fee and costs and expenses for an application or request filed by a government agency *or otherwise as the Commission may determine by its regulations.*

(4) In the second paragraph of Section 6.5, delete the first sentence which currently reads:

"Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, by certified mail (return receipt requested) or hand delivery, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality."

and replace it with the following language:

Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality. The applicant shall notify abutters in writing by hand delivery or certified mail, return receipt requested, *or by certificates of mailing. If written notification is made by hand-delivery, the applicant shall obtain*

signatures at the time of delivery acknowledging receipt of said notification.

(5) In the fourth paragraph of Section 6.5, delete the number **45** from the phrase:

“The Commission shall commence the public hearing within **45** days from receipt of a completed application”

and replace it with the number **21**.

(6) In the fourth paragraph of Section 6.11, delete the first sentence which currently reads:

“Any person who violates any provision of this article, regulations thereunder or permits issued thereunder shall be punished by a fine in an amount to be established by the Commission under its wetland protection regulations.”

and replace it with the following language:

Any person who violates any provision of this article, regulations thereunder or permits issued thereunder *may* be punished by a fine *of not more than \$300 per offense*.

or take any other action relative thereto.

Article Information: This article corrects several typographical errors in the Wetlands Protection by-law.

In addition, the amendment seeks to modify the filing fee provision to allow the Commission to reduce (not just waive) filing fees and to expand the pool of applicants for whom by-law filing fees may be reduced or waived. Under the proposed change, municipal projects will continue to be exempt from by-law filing fees (as specified in the by-law regulations).

The proposal would change abutter notification requirements to allow applicants to use “certificates of mailing” and to require that applicants who opt to hand deliver meeting notices obtain signatures from recipients. Revisions to the Massachusetts Wetlands Protection Regulations which came into effect in 2006 included a provision to allow applicants to use certificates of mailing as an alternative to certified mail. Given the considerable cost savings (approximately \$3.78 per parcel) the Commission supports this alternative. With respect to hand delivery of abutter notification letters, the Commission seeks to formalize the current practice of requesting that applicants seek some form of acknowledgement of receipt when notices are delivered by hand.

The proposal reduces the time period during which the Commission must open a public hearing from 45 days to 21 days change abutter notification requirements to allow applicants to use “certificates of mailin (from receipt of a complete application) to be consistent with both the Massachusetts Wetlands Protection Act and the Commission’s current practice.

Finally, the proposal modifies the fining provision in the by-law to be consistent with MGL Chapter 40: Section 21D. This statute limits fine amounts to \$300 per day, per violation. Additionally, the change includes the substitution of the word shall with the word may, thus making the fining provisions discretionary rather than mandatory.

MOVED: That the Town vote to amend the General By-laws by adopting the following changes to Article 6:

(1) In Section 6.2, delete the word **or** from the phrase

“(4) within 100 feet **or** any lake, river, pond, stream or estuary”

and replace it with the word *of*.

(2) In the second paragraph of Section 6.4, delete the lowercase **w** from the phrase

“**w**etlands Protection Act”

and replace it with a capital **W**

(3) In the fourth paragraph of Section 6.4, delete the last sentence which currently reads:

“The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency.”

and replace it with the following language:

The Commission may waive **or reduce** the filing fee and costs and expenses for an application or request filed by a government agency **or otherwise as the Commission may determine by its regulations**.

(4) In the second paragraph of Section 6.5, delete the first sentence which currently reads:

“Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, by certified mail (return receipt requested) or hand delivery, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality.”

and replace it with the following language:

Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality. The applicant shall notify abutters in writing by hand delivery or certified mail, return receipt requested, **or by certificates of mailing. If written notification is made by hand-delivery, the applicant shall obtain signatures at the time of delivery acknowledging receipt of said notification.**

(5) In the fourth paragraph of Section 6.5, delete the number **45** from the phrase:

“The Commission shall commence the public hearing within **45** days from receipt of a completed application”

and replace it with the number **21**.

(6) In the fourth paragraph of Section 6.11, delete the first sentence which currently reads:

“Any person who violates any provision of this article, regulations thereunder or permits issued thereunder shall be punished by a

in an amount to be established by the Commission under its wetland protection regulations.”

and replace it with the following language:

Any person who violates any provision of this article, regulations thereunder or permits issued thereunder *may* be punished by a fine *not more than \$300 per offense*.

Mr. Paul S. Alpert, member, addressed this proposal on behalf of the Conservation Commission. He explained that the amended by-law would bring the Needham by-law into conformity with the state, would fix some existing typographical errors, would allow the Commission to waive or reduce the filing fee, change abutter notification requirements to allow applicants to receive “certificates of mailing, and reduce the time period during which the Commission must open a public hearing from 45 days to 21 days.

Mr. John A. Bulian, Selectmen, stated that the Board of Selectmen unanimously supports this article.

Mr. Scott Brightman, member, recommended adoption of Article 16 on behalf of the Finance Committee indicating that the proposal eliminates inconsistencies.

Mr. Sean C. Sweeney noted that each day is a separate offense and the regulations provide up to \$300 per offense per day.

A motion to amend was offered by Susan W. Abbott to delete the word “per day” after the words \$300 per offense” to the amendment under Section 6.11.

A motion to amend was offered by Mr. Glenn S. Orenstein within the amendment under Section 6.11 to delete the words “\$300 per offense” and insert the words “the maximum amount allowed under Chapter 40 of the Massachusetts General Laws.”

After a brief discussion, a motion to move the previous question was offered by Mr. Richard W. Gatto. The motion was presented and carried unanimously by voice vote.

Mr. Orenstein’s motion was presented and carried by voice vote.

Mrs. Abbott’s motion to amend was presented, but it failed to pass by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

NOTED: That the Town vote to amend the General By-laws by adopting the following changes to Article 6:

(3) In Section 6.2, delete the word *or* from the phrase

“within 100 feet *or* any lake, river, pond, stream or estuary”

and replace it with the word *of*.

(4) In the second paragraph of Section 6.4, delete the lowercase *w* from the phrase

“wetlands Protection Act”

and replace it with a capital *W*

(3) In the fourth paragraph of Section 6.4, delete the last sentence which currently reads:

“The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency.”

and replace it with the following language:

The Commission may waive *or reduce* the filing fee and costs and expenses for an application or request filed by a government agency *or otherwise as the Commission may determine by its regulations*.

(4) In the second paragraph of Section 6.5, delete the first sentence which currently reads:

“Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, by certified mail (return receipt requested) or hand delivery, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality.”

and replace it with the following language:

Any person filing an application or a request for determination with the Commission shall give written notice thereof, at the same time, to all abutters at their mailing addresses, shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality. The applicant shall notify abutters in writing by hand delivery or certified mail, return receipt requested, *or by certificates of mailing. If written notification is made by hand-delivery, the applicant shall obtain signatures at the time of delivery acknowledging receipt of said notification.*

(5) In the fourth paragraph of Section 6.5, delete the number *45* from the phrase:

“The Commission shall commence the public hearing within *45* days from receipt of a completed application”

and replace it with the number *21*.

(6) In the fourth paragraph of Section 6.11, delete the first sentence which currently reads:

“Any person who violates any provision of this article, regulations thereunder or permits issued thereunder shall be punished by a fine in an amount to be established by the Commission under its wetland protection regulations.”

and replace it with the following language:

Any person who violates any provision of this article, regulations thereunder or permits issued thereunder *may* be punished by a fine *of not more than* the maximum amount allowed under Chapter 40 of the Massachusetts General Laws.

ARTICLE 17: REPORT OF TOWN MEETING STUDY COMMITTEE

To see if the Town will vote to hear and act on the report of the Town Meeting Study Committee; or take any other action relative thereto.

Article Information: This article is inserted to hear the report of the Town Meeting Study Committee, which was created in 2007 to investigate ways of strengthening Needham's Representative Town Meeting. The Committee's recommendations include the proposed by-law amendments set forth in Articles 18 and 19. The Committee's full report is printed at the end of the warrant.

MOVED: That the Town vote to hear and act on the report of the Town Meeting Study Committee.

Mr. Paul F. Denver, Chairman of the Town Meeting Study Committee, moved to discuss Articles 17 and 18 together and vote on these articles separately. Mr. John P. Connelly rose in opposition to this motion. The motion was presented, but failed to pass by voice vote.

Mr. Paul F. Denver highlighted a number of concerns outlined in the final report of the Town Meeting Study Committee printed in the warrant. He stated that Town Meeting is useful and productive and should continue. He noted that Town Meeting Members must read and act on an increasing amount of materials in a short period of time. It was suggested that materials be available within seven days.

Several concerns of the committee were expressed by Mr. Denver including redundancy in addressing articles, lack of reasons noted for articles that are withdrawn, Capital articles should be offered within the Annual Town Meeting, the Omnibus Article should be limited to resolutions and items related to articles previously discussed, ten minute breaks should be limited and held at 9:00 P.M. to 9:10 P.M. The Committee also thought ceremonies should be limited. Concerns regarding the use of the motion to move the previous question were noted. The Committee urges Town Meeting member to be considerate. One thought or suggestion was to have microphones places on stands in the aisles so that people who wish to speak could go up and stand in line.

The report of the Town Meeting Study Committee was accepted and the Moderator disposed of the Article 17.

ARTICLE 18: ESTABLISHMENT OF PROCEDURES COMMITTEE OF TOWN MEETING, AND THE DEFINITION OF ITS DUTIES

To see if the Town will vote to amend Article 1 of its General By-laws by adding at the end thereof the following new Sections:

"SECTION 1.16. PROCEDURES COMMITTEE OF THE TOWN MEETING."

1.16.1
There shall be a Procedures Committee of the Representative Town Meeting consisting of seven members who shall be appointed by the Moderator as provided herein. Each member so appointed shall be a member of said Town Meeting, elected to represent the voters of a precinct thereof, and shall not be an at-large member of such Town Meeting.

Each member of the Committee shall serve for a term of three years, or if it so occurs sooner, until the effective date of a new division of the Town into precincts required by the State Election laws. Of the members of the Committee originally appointed under this by-law, and of the members of the Committee first appointed following a re-division of the Town into new precincts as aforesaid, the Moderator shall designate two members to serve for a one year term, two members to serve for a two year term, and three members to serve for a three year term. If a member of the Committee shall cease to be a member of the Representative Town Meeting, he or she shall cease to be a member of the Committee; and the Moderator shall appoint another qualified member of the said Town Meeting to complete the term of the Committee member being replaced. Vacancies on the Committee may be filled at any time by a qualified appointee designated by the Moderator.

1.16.2

The Procedures Committee shall provide a continuing oversight of the business, conduct and procedures of the Town Meeting, and of the level of attendance thereof of Town Meeting Members, and other matters which pertain to Town Meeting. It shall make such recommendations in respect thereto to the Moderator and/or the Town Meeting as to ways and means of improving Town Meeting procedures, operations and attendance, as said Committee deems appropriate. The Committee shall review, and shall report to the Town Meeting its recommendations relative to all Warrant Articles proposing amendments to Article 1 of the General By-Laws, and all Articles proposing changes in Town Charter provisions pertaining to the membership, organization, procedures and committee structure of the Town Meeting.

1.16.3

The Moderator may assign to the Procedures Committee such tasks in relation to the conducting of the Town Meeting, as he or she deems helpful to the management of the Town Meeting, on his or her behalf, and under his or her direction.

1.16.4

With the approval of the Moderator, the Procedures Committee shall establish, and may from time to time amend, rules governing the orderly and responsible distribution of printed or duplicated materials to Town Meeting Members at sessions of the Town Meeting. Town agencies having an interest in, or responsibility for, warrant articles awaiting Town Meeting consideration shall provide their relevant reports or other materials pertaining to such Warrant articles to Town Meeting Members prior to the Town Meeting session which is to consider the same.

1.16.5

The Procedures Committee shall promote compliance by Town Meeting Members with the Code of Conduct set forth in Section 1.17; and it may, with the approval of the Moderator, initiate, and assist others in initiating, programs encouraging and better facilitating attendance by Town Meeting Members at sessions of the Town Meeting.

SECTION 1.17. TOWN MEETING MEMBER CODE OF CONDUCT**1.17.1**

This Town Meeting Member Code of Conduct shall serve as a guideline by which Town Meeting Members shall maintain and strengthen the Town Meeting.

Town Meeting Members shall strive to be regular and prompt in the attendance at all sessions of the Annual and Special Town Meetings held during the terms of office for which they have been elected. They shall undertake to educate themselves regarding the form, conduct and administration of the government

the town, and the rules governing the conduct of Town Meeting. They shall seek to inform themselves to the greatest extent possible with respect to all issues that come before the Annual Town Meeting or Special Town Meetings.

Town Meeting Members shall conduct themselves in accordance with the rules established for the conduct of the Town Meeting, shall demonstrate fairness, courtesy, and respect for the opinions and positions of their fellow Town Meeting Members, and shall otherwise perform their duties and responsibilities in such a manner as to reflect credit upon the legislative and appropriating body of the town; and shall take any other action relative thereto.

Article Information: This article, submitted by the Town Meeting Study Committee, would amend the Town by-laws by creating a Town Meeting Procedures Committee and establishing a Town Meeting Member Code of Conduct.

The Procedures Committee would consist of seven members appointed by the Moderator from the elected precinct representatives, and would have a range of authorities, including:

- *Continuing oversight of Town Meeting business, procedures and attendance,*
- *Making recommendations for improvement of Town Meeting operations,*
- *Making recommendations on all articles affecting the organization and procedures of Town Meeting,*
- *Rulemaking regarding distribution of materials to members at Town Meeting,*
- *Promotion of compliance with the Code of Conduct, and*
- *Additional related responsibilities assigned by the Moderator.*

The proposed Code of Conduct would establish guidelines to encourage attendance, courtesy, and attention to their responsibilities by all members of the Town Meeting.

The Study Committee reports that similar measures are in place in other communities. The Study Committee's complete report is included in the warrant.

MOVED: That the Town vote to amend Article 1 of its General By-laws by adding at the end thereof the following new Sections:

SECTION 1.16. PROCEDURES COMMITTEE OF THE TOWN MEETING."

1.16.1

There shall be a Procedures Committee of the Representative Town Meeting consisting of seven members who shall be appointed by the Moderator as provided herein. Each member so appointed shall be a member of said Town Meeting, elected to represent the voters of a precinct thereof, and shall not be an at-large member of such Town Meeting.

Each member of the Committee shall serve for a term of three years, or if it so occurs sooner, until the effective date of a new division of the Town into precincts required by the State Election Laws. Of the members of the Committee originally appointed under this by-law, and of the members of the Committee first appointed following a re-division of the Town into new precincts as aforesaid, the Moderator shall designate two members to serve for a one year term, two members to serve for a two year term, and three members to serve for a three year term. If a member of the Committee shall cease to be a member of the Representative Town

Meeting, he or she shall cease to be a member of the Committee; and the Moderator shall appoint another qualified member of the said Town Meeting to complete the term of the Committee member being replaced. Vacancies on the Committee may be filled at any time by a qualified appointee designated by the Moderator.

1.16.2

The Procedures Committee shall provide a continuing oversight of the business, conduct and procedures of the Town Meeting, and of the level of attendance thereof of Town Meeting Members, and other matters which pertain to Town Meeting. It shall make such recommendations in respect thereto to the Moderator and/or the Town Meeting as to ways and means of improving Town Meeting procedures, operations and attendance, as said Committee deems appropriate. The Committee shall review, and shall report to the Town Meeting its recommendations relative to all Warrant Articles proposing amendments to Article 1 of the General By-Laws, and all Articles proposing changes in Town Charter provisions pertaining to the membership, organization, procedures and committee structure of the Town Meeting.

1.16.3

The Moderator may assign to the Procedures Committee such tasks in relation to the conducting of the Town Meeting, as he or she deems helpful to the management of the Town Meeting, on his or her behalf, and under his or her direction.

1.16.4

With the approval of the Moderator, the Procedures Committee shall establish, and may from time to time amend, rules governing the orderly and responsible distribution of printed or duplicated materials to Town Meeting Members at sessions of the Town Meeting. Town agencies having an interest in, or responsibility for, warrant articles awaiting Town Meeting consideration shall provide their relevant reports or other materials pertaining to such Warrant articles to Town Meeting Members prior to the Town Meeting session which is to consider the same.

1.16.5

The Procedures Committee shall promote compliance by Town Meeting Members with the Code of Conduct set forth in Section 1.17; and it may, with the approval of the Moderator, initiate, and assist others in initiating, programs encouraging and better facilitating attendance by Town Meeting Members at sessions of the Town Meeting.

SECTION 1.17. TOWN MEETING MEMBER CODE OF CONDUCT

1.17.1

This Town Meeting Member Code of Conduct shall serve as a guideline by which Town Meeting Members shall maintain and strengthen the Town Meeting.

Town Meeting Members shall strive to be regular and prompt in the attendance at all sessions of the Annual and Special Town Meetings held during the terms of office for which they have been elected. They shall undertake to educate themselves regarding the form, conduct and administration of the government of the town, and the rules governing the conduct of Town Meeting. They shall seek to inform themselves to the greatest extent possible with respect to all issues that come before the Annual Town Meeting or Special Town Meetings.

Town Meeting Members shall conduct themselves in accordance with the rules established for the conduct of the Town Meeting, shall demonstrate fairness, courtesy, and respect for the opinions and positions of their fellow Town Meeting Members, and shall otherwise perform their duties and responsibilities in

such a manner as to reflect credit upon the legislative and appropriating body of the town.

Mr. Paul F. Denver, member, addressed this proposal on behalf of the Town Meeting Study Committee.

A motion to amend was offered by Mr. Paul F. Denver by deleting section 1.16.4 and inserting in place thereof the following:

1.16.4

With the approval of the Moderator and Town Meeting, the Procedures Committee may establish, and may from time to time amend, rules governing the orderly and responsible distribution of printed or duplicated materials to Town Meeting Members at sessions of the Town Meeting. Town agencies having an interest in, or responsibility for, warrant articles awaiting Town Meeting consideration shall make every reasonable effort to provide their relevant reports or other materials pertaining to such Warrant articles to Town Meeting Members prior to the Town Meeting session which is to consider the same.

A second motion to amend was offered by Mr. Paul F. Denver under section 1.16.2 by deleting the word "business," in the first line.

Mr. Denver reviewed the committee's recommendation to establish a standing committee known as the Procedures Committee which would consist of seven members appointed by the Moderator from the elected precinct representatives and have a range of authorities including oversight of Town Meeting business, procedures and attendance, make recommendations for Town Meeting procedures and attendance, improve Town Meeting operations, make recommendations on all articles affecting the organization and procedures of Town Meeting, rulemaking regarding distribution of materials to members at Town Meeting, promotion of compliance with the Code of Conduct, and additional related responsibilities assigned by the Moderator. Mr. Denver recommended adoption of Article 18 on behalf of the Town Meeting Study Committee.

Mr. Daniel P. Matthews, Chairman, advised that the Board of Selectmen declined to take a vote on this article. He indicated that Town Meeting should be the judge of its meetings. He further stated that his comments are not necessarily the opinion of management. Much work has gone into this article, but there are concerns. One is the code of ethics and a second concern is the creation of the Procedures Committee. Additional committees create additional complexities as well as creating additional work for the staff.

Mr. Richard S. Creem, member, advised that the recommendation of the Finance Committee is that this article not be adopted. He noted that the Finance Committee admires the work of the Town Meeting Study Committee and the report contains many important goals, but we are not convinced a permanent procedures committee is the way to go. There is a need for flexibility. Needham's Town Meeting works well. Under the Town's General By-Laws, the Finance Committee reports on all matters relating to financial matters. Abe Lincoln once said... "My policy is to have no policy." The Finance Committee recommends that Article 18 not be adopted.

Mrs. Lois F. Sockol thanked the Committee members for all the effort they put into this article, but does not support this proposal. She noted that the Code of Conduct among Town Meeting Members has been close to superb thanks to the

Moderator. It works well. Second, if you make an effort to run for Town Meeting, then you have the responsibility to find out what has to be done

Mr. Ford H. Peckham spoke in opposition to this proposal.

Mr. Richard W. Gatto spoke in favor of this proposal. In response to an inquiry from Mr. Gatto, Mr. Denver stated that his committee had examined about thirty-seven other towns and he believes that about twelve towns have a Procedures Committee. He later corrected that number to fifteen towns having a Procedures Committee.

Mr. James Hugh Powers, member of the Town Meeting Study Committee and long-standing Town Meeting Member, stated that Needham only has two standing committees - the Finance Committee and the Personnel Board. This committee would constitute a third standing committee.

Mr. Paul G. Smith spoke in opposition of this article. He thanked the Town Meeting Study Committee for its hard work. He noted that the warrants have been greatly expanded and we now have power point presentations. He indicated that he is relieved to know the situation is not that bad. It doesn't look broken.

Adelaide (Lita) C. Young also rose in opposition. She does not see people being uncivil to one another.

Mr. Paul S. Alpert rose in support of most of Article 18. He believes in standing committees and does not feel a Procedures Committee will impose on the Finance Committee. He also did not feel the need for a code of conduct.

A motion to amend was offered by Mr. Paul S. Alpert to delete under Section 1.16.4 the words "shall promote compliance by Town Meeting Members with the Code of Conduct set forth in Section 1.17; and it" and to delete Section 1.17 Town Meeting Member Code of Conduct in its entirety.

Mr. Jeffrey D. Heller spoke in strong support of this article and opposed Mr. Alpert's motion to amend. In response to an inquiry from Mr. Heller, Mr. Denver advised that about 58% of the people responded to the Town Meeting Study Committee's survey.

Mr. Irwin Silverstein also thanked the committee for its hard work and questioned whether a procedures committee would add value. He noted that anyone can speak with the Moderator.

Mrs. Anne M. Murphy asked if the Town Meeting Study Committee had considered continuing as an advisory committee if the Procedures Committee was not created. She was advised that an advisory committee can not set policy.

Mr. Jeffrey Kristeller thanked the committee, applauded the Board of Selectmen and failed to understand the Finance Committee's concern. He spoke in favor of this article and the amendment.

Mr. David R. Cox spoke in opposition of this article indicating that he has rarely seen the current system of Town Meeting not work.

Mr. Thomas H. Hannigan, Jr. also spoke in opposition of this article. He expressed concern that the charge of the

committee contains extremely broad powers including oversight of matters pertaining to Town Meeting. He asked Town Meeting Members not to adopt this proposal.

A motion to move the previous question on all motions on the floor was offered by Mr. John P. Connelly. The motion, which required a two-thirds vote, was presented, but the Moderator was in doubt. The motion was again presented and the Moderator still was in doubt. The motion was presented for a third time and carried by a count of hands. The hand count was Yes 162 - No 41.

Mr. Alpert's motion to amend was presented but the Moderator was in doubt. The motion was again presented and the Moderator was still in doubt. The motion was presented for a third time and carried by a count of hands. The hand count was Yes 137 - No 63.

Mr. Denver's motion to amend was presented and carried by a voice vote.

ACTION: The main motion, as amended, was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented, but it failed to pass by a count of hands. The hand count was Yes 91 - No 112.

Mr. Jeffrey D. Heller rose to request a roll call vote and was joined by the required 25 Town Meeting Members. The Moderator called each Town Meeting Member by name and requested that they respond either "Yea" or "Nay". The roll call vote was conducted, but the motion failed to pass. The roll call was Yea 96 - Nay 109 plus one Nay by a Town Meeting Member whose name was not called during the roll call.

At 10:49 P.M. Mr. Gilbert W. Cox moved that the Annual Town Meeting stand adjourned to Monday May 11, 2009 at 7:30 P.M. at the Newman School, and it was so voted by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy
Attest:

ADJOURNED ANNUAL TOWN MEETING

Monday, May 11, 2009

Pursuant to adjournment of the Annual Town Meeting held May 6, 2009, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Newman School on Monday May 11, 2009, at 7:30 P.M.

Check lists were used and 232 voters were checked on the list as being present, including 225 Town Meeting Members.

The Moderator introduced Claire Levesque, representative of the Baha'i faith, who provided the invocation.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Unanimous consent was given to suspend the proceedings for the eleventh annual Richard Patten Melick Foundation Awards. Ms. Cynthia J. Chaston explained that Richard P. Melick was the former Moderator for the Town of Needham for 35 years and this foundation was established in 1997 to recognize an extraordinary leader in Needham. Ms. Chaston, President, presented Town Meeting Members Kathryn L. D'Addesio with an award for twenty-five years of service to the community. She introduced members of the Board of Directors, Phillip V. Robey and James G. Healy, who presented this year's awards to William "Bill" Axt and Louise Condon respectively.

Mr. Daniel P. Matthews moved that the Annual Town Meeting stand adjourned until such time as the Special Town Meeting called for this evening at 7:30 P.M. is either adjourned or dissolved. It was so voted unanimously.

SPECIAL TOWN MEETING

Monday, May 11, 2009

Pursuant to a warrant issued by the Selectmen on April 21, 2009, this meeting was called for May 11, 2009 at 7:30 P.M.

The Town Clerk read the call to the meeting and the Officer's Return.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

The Moderator announced that the proponents no longer have an interest in Article 1 and requested unanimous consent to withdraw this article. Town Meeting Members indicated that there were no objections to the withdrawal of this article and it was voted unanimously to withdraw Article 1.

The Moderator announced that Articles 3 and 4 are subject to motions to amend or other motions from their proponents or for other reasons cannot be passed by unanimous consent.

As in the tradition of the Annual Town Meeting, the Moderator asked unanimous consent to omit the reading of the articles and to refer to them by number only. Any Town Meeting Member who wished to "question" or "debate" should so indicate when the number was called and those articles not so indicated would be adopted by unanimous consent. There was no objection and the Moderator declared this method to be adopted unanimously.

The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 2. No Town Meeting Members responded with "question" or "debate" to Articles 2 and 5. The Moderator then called each of the above-mentioned articles by number and no objection was heard to

adoption by unanimous consent. It was so unanimously voted and the Town Clerk was requested to so record. As a result thereof, said articles and the votes thereunder are as follows:

ARTICLE 2: AMEND GENERAL BY-LAWS/TRENCH SAFETY

To see if the Town will vote, in accordance with M.G.L Chapter 82A, to amend Section 2.2.5 of the General By-laws by inserting a new Section 2.2.5.4:

2.2.5.4 Trench Safety

2.2.5.4.1 The Town Manager is authorized to designate a local permitting authority for issuing trench permits and/or licenses under the regulations promulgated by the Commonwealth of Massachusetts Department of Public Safety and Division of Occupational Safety in accordance with Chapter 82A of the General Laws relative to excavation and trench safety.

2.2.5.4.2 A trench is defined as a subsurface excavation greater than three feet in depth, and is fifteen feet or less between the soil walls as measured from the bottom.

2.2.5.4.3 The Board of Selectmen may, from time to time enact fees to cover the costs of processing said permits and for enforcement thereof.

2.2.5.4.4 The Board of Selectmen may, from time to time, and after a public hearing, enact local rules and regulations consistent with Chapter 82A relative to the trench permitting process, the standard and special conditions for issued permits, and the enforcement of issued permits.

2.2.5.4.5 The Town may perform temporary repairs to private property if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations issue by the Board of Selectmen in accordance with Section 2.2.5.4.4. Said repairs shall be considered necessary to abate an immediate hazard.

And by inserting a new Subsection B under Section 8.2.2.8 as follows:

8.2.2.8 B Regulations Regarding Trench Safety Authorized by Section 2.2.5.4.4 Enforcement Agent: Director of Public Works Fine Schedule: \$100 per offense,

Or take any other action relative thereto.

Article Information: Section 2 of Chapter 82A of the General Laws requires cities and towns to designate a board or officer to issue permits for the excavation of trenches on public and privately-owned land and on public ways. Under the law, regulated trenches must be attended, covered, barricaded or

backfilled. This article authorizes the Town Manager to designate the local permitting authority, and authorizes the Board of Selectmen to make regulations and set fees for the new permitting process.

MOVED: That the Town vote, in accordance with M.G.L Chapter 82A, to amend Section 2.2.5 of the General By-laws by inserting a new Section 2.2.5.4:

2.2.5.4 Trench Safety

2.2.5.4.1 The Town Manager is authorized to designate a local permitting authority for issuing trench permits and/or licenses under the regulations promulgated by the Commonwealth of Massachusetts Department of Public Safety and Division of Occupational Safety in accordance with Chapter 82A of the General Laws relative to excavation and trench safety.

2.2.5.4.2 A trench is defined as a subsurface excavation greater than three feet in depth, and is fifteen feet or less between the soil walls as measured from the bottom.

2.2.5.4.3 The Board of Selectmen may, from time to time enact fees to cover the costs of processing said permits and for enforcement thereof.

2.2.5.4.4 The Board of Selectmen may, from time to time, and after a public hearing, enact local rules and regulations consistent with Chapter 82A relative to the trench permitting process, the standard and special conditions for issued permits, and the enforcement of issued permits.

2.2.5.4.5 The Town may perform temporary repairs to private property if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations issue by the Board of Selectmen in accordance with Section 2.2.5.4.4. Said repairs shall be considered necessary to abate an immediate hazard.

And by inserting a new Subsection B under Section 8.2.2.8 as follows:

8.2.2.8 B Regulations Regarding Trench Safety Authorized by Section 2.2.5.4.4 Enforcement Agent: Director of Public Works Fine Schedule: \$100 per offense.

ACTION: So voted by unanimous vote.

ARTICLE 5: APPROPRIATE TO STABILIZATION FUND

To see if the Town will vote to raise and/or transfer and appropriate \$55,000 to the Stabilization Fund, said sum to be transferred from line 9 of the fiscal year 2009 operating budget, or take any other action relative thereto.

Article Information: The intent of this transfer is to reserve funding for the settlement of a collective bargaining agreement between the Town and the custodial and trades employees of the Public Facilities Department. This Agreement is not likely to be completed during fiscal year 2009 due to the Union's decertification of its previous representative (AFSCME). The certification of a representative for the bargaining unit is under the jurisdiction of the Massachusetts Labor Relations Commission. Until a representative for the unit is certified, no Agreement can be made. A transfer out of the stabilization fund will be proposed in fiscal year 2010 once an Agreement is reached.

Municipalities are authorized under M.G.L., Chapter 40, Section 5B to establish stabilization funds. Monies appropriated to the Stabilization Fund remain in the fund and carry forward from one fiscal year to another. The interest earned on the stabilization fund remains with the fund. The money from the Stabilization Fund can be appropriated for any lawful municipal purpose. Appropriations both into and from the fund require a two-thirds majority vote of Town Meeting.

MOVED: That the Town vote to raise and/or transfer and appropriate \$55,000 to the Stabilization Fund, said sum to be transferred from line 9 of the fiscal year 2009 operating budget.

ACTION: So voted by unanimous vote.

ARTICLE 1: was withdrawn earlier this evening.

ARTICLE 3: APPROPRIATE FOR FACILITY REPAIRS / NEWMAN SCHOOL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$450,000 for feasibility, design and engineering services related to extraordinary repair of the Newman School located at 1155 Central Avenue and shown as Lot 21 on the Needham Assessors Map numbered 216, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7 or any other enabling authority, that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any amounts received from the MSBA prior to the issuance of bonds or notes under this vote; or take any other action relative thereto.

Article Information: The May 12, 2008 Special Town Meeting appropriated \$650,000 for the installation of a temporary heating/ventilation system in the east wing of the Newman School, and for the development of a feasibility study of possible long-term solutions. The feasibility study was conducted by DRA Architects under the jurisdiction of the Permanent Public Building Committee. That study is now complete.

In February, 2009, the Massachusetts School Building Authority (MSBA) notified the Town that the agency is interested in partnering with the Town to fund the needed repairs. The funding requested under this article will allow for the preparation of

sufficient architectural and engineering narrative, diagrams and detail to illustrate the design of the project scope and enable the preparation of a reliable construction cost estimate. Once the Town and the MSBA reach agreement on a project scope and schematic design, the parties will enter into a project funding agreement, with the MSBA providing a portion of the approved project cost.

Completion of the project is contingent upon a successful debt exclusion override and Town Meeting approval of the remaining project costs, both tentatively scheduled for late fall or early winter, 2009.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$450,000 for feasibility, design and engineering services related to extraordinary repair of the Newman School located at 1155 Central Avenue and shown as Lot 21 on the Needham Assessors Map numbered 216, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7 or any other enabling authority, that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any amounts received from the MSBA prior to the issuance of bonds or notes under this vote.

A motion to amend was offered by Mr. Daniel P. Matthews that the main motion under Article 3 is amended by adding an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

Mr. Daniel P. Matthews, Chairman, addressed this proposal on behalf of the Board of Selectmen. He explained that this request is for the design and feasibility work on the Newman Elementary School. The HVAC has to be done. There are other items that may or may not need to be included. The Board is hoping that the Massachusetts School Building Authority (MSBA) will fund up to 40% of the costs. He stated that the Board of Selectmen unanimously recommends adoption of this article.

Mr. George F. Kent, Chairman, Permanent Public Building Committee, presented a review on the feasibility study of the Newman Elementary School. He noted that the school building is sound and worth saving. The PPBC is reviewing the scope of the repairs, the scheduling and the related costs. They are also investigating the estimated support from the MSBA.

Mr. Scott Brightman, member, recommended adoption of this article on behalf of the Finance Committee. He noted that the Newman HVAC system has reached the end of its life and needs to be replaced. The School is sound and rebuilding does not make sense. With MSBA reimbursement of up to 40%, the Finance Committee recommends adoption of the feasibility study and the relocation of the school's teachers and students.

In response to an inquiry from Mr. John E. Comando, Marianne B. Cooley, School Committee member, advised that they expect to lease and return the modular classrooms. In the past, the School Committee has leased a number of modular

classrooms for various locations in the past and could conceivably do so again for other locations needing a small number of modular classrooms.

Speaking in favor of this article were the following Town Meeting Members: Madeline Ann Wofield, Irene M. Francesconi, Robert Y. Larsen, Julie E. Stevens, Holly Anne Clarke, and Susan B. Welby.

In response to an inquiry from Mr. Alan S. Fanger, Marianne B. Cooley, member, advised that the School Committee has affirmed that the High Rock School be used as a 6th grade school and that Newman remain an elementary school.

In response to an inquiry from Mr. Robert Y. Larsen, Mr. Scott Brightman advised that assuming the Newman is a \$20 million project, the average tax increase per household would be approximately \$190 per year.

Mr. Daniel P. Matthews, Chairman, advised that the Town has to manage its borrowing capacity and because the Newman was not planned, the Board of Selectmen had to rearrange the capital plan.

In response to an inquiry from Mr. Ronald W. Ruth, Marianne B. Cooley advised that Mitchell and Hillside Schools are in the 2017-2020 capital plans.

After a lengthy discussion, a motion to move the previous question was offered by Mr. Robert A. Downs. The motion was presented and carried by the required two-thirds vote as declared by the Moderator.

Mr. Daniel P. Matthews's motion to amend to add an emergency preamble was presented and carried by the required two-thirds vote as declared by the Moderator.

ACTION: The main motion, as amended, was presented and carried by two-thirds vote as declared by the Moderator.

VOTED: That the Town vote to raise and/or transfer and appropriate the sum of \$450,000 for feasibility, design and engineering services related to extraordinary repair of the Newman School located at 1155 Central Avenue and shown as Lot 21 on the Needham Assessors Map numbered 216, to be spent under the direction of the Town Manager/Permanent Public Building Committee, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7 or any other enabling authority; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any amounts received from the MSBA prior to the issuance of bonds or notes under this vote and by adding an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

ARTICLE 4: AMEND FY2009 OPERATING BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted

under Article 17 of the 2008 Annual Town Meeting and amended under Article 4 of the October 27, 2008 Special Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
3	Group Health Insurance	8,258,510	To be Determined
4	Retiree Insurance & Insurance Liability Fund	3,702,211	To be Determined
15A	Finance Department Salary & Wages	1,304,013	1,281,513
15B	Finance Department Expenses	760,807	783,307
17A	Planning Department Salary & Wages	197,130	To be Determined
17B	Planning Department Expenses	16,260	To be Determined

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted under Article 17 of the 2008 Annual Town Meeting and amended under Article 4 of the October 27, 2008 Special Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
3	Group Health Insurance	8,258,510	To be Determined
4	Retiree Insurance & Insurance Liability Fund	3,702,211	To be Determined
15A	Finance Department Salary & Wages	1,304,013	1,281,513
15B	Finance Department Expenses	760,807	783,307
17A	Planning Department Salary & Wages	197,130	To be Determined
17B	Planning Department Expenses	16,260	To be Determined.

A motion to amend was offered by Mr. David J. Escalante by striking lines 3 and 4 in their entirety, and by striking the words "To be determined" in lines 17A and 17B and inserting in place thereof the following:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
17A	Planning Department Salary & Wages	\$197,130	\$192,130
17B	Planning Department Expenses	\$ 16,260	\$ 21,260.

Mr. Escalante explained that these are technical changes to this article and the last two lines are transferring sums from one line item to another. He recommended adoption on behalf of the Finance Committee.

The motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

NOTED: That the Town vote to amend and supersede certain parts of the fiscal year 2009 Operating Budget adopted under Article 17 of the 2008 Annual Town Meeting and amended under Article 4 of the October 27, 2008 Special Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
5A	Finance Department Salary & Wages	1,304,013	1,281,513
5B	Finance Department Expenses	760,807	783,307
7A	Planning Department Salary & Wages	197,130	192,130
7B	Planning Department Expenses	16,260	21,260.

Article 5 was adopted by unanimous consent early this evening.

ARTICLE 6: AUTHORIZE AGREEMENT TO ACCEPT STATE HIGHWAY

To see if the Town will vote to authorize the Board of Selectmen to execute an agreement between the Town of Needham and the Commonwealth of Massachusetts Highway Department to allow the Commonwealth to discontinue certain sections of Highland Avenue, which are currently designated as State highways, and thereafter said ways so discontinued shall become Town ways in accordance with Massachusetts General Laws Chapter 81, Section 12, and further to authorize the Board of Selectmen to accept from the Commonwealth of Massachusetts the above roadways "as is" contingent upon acceptance of funds to be expended under the direction of the Town Manager, for the purpose of improving said roadways to Town standards; or take any other action relative thereto.

Article Information: The Town of Needham and the City of Newton have worked together for the past decade to enable the rehabilitation of the Highland Avenue/Needham Street corridor. This roadway is under the jurisdiction of the Commonwealth of Massachusetts, which has provided financial support for the design of the project (currently at the 75% design stage). The two communities have submitted the "turnback" project for funding under the federal stimulus program. It is assumed that the Commonwealth will require that the Town vote to accept the road as a public way prior to receiving the funding. This is a similar process to that which was used to accept State funding for the ongoing work on Chestnut Street. Under the proposed motion, the Town would authorize the Board of Selectmen to accept the roadway only if such acceptance is accompanied by funds to rehabilitate the road, or if the Commonwealth rehabilitates the roadway to Needham standards itself. This article allows the Town to participate in any State or Federal funding that may become available over the next few months.

MOVED: That the Town vote to authorize the Board of Selectmen to execute an agreement between the Town of Needham and the Commonwealth of Massachusetts Highway Department to allow the Commonwealth to discontinue certain sections of Highland Avenue, which are currently designated as State highways, and thereafter said ways so discontinued shall become Town ways in accordance with Massachusetts General

Laws Chapter 81, Section 12, and further to authorize the Board of Selectmen to accept from the Commonwealth of Massachusetts the above roadways "as is" contingent upon acceptance of funds to be expended under the direction of the Town Manager, for the purpose of improving said roadways to Town standards.

Mr. Gerald A. Wasserman, Selectman, recommended adoption of this proposal on behalf of the Board of Selectmen. He stated that this will allow Needham and its neighbor, City of Newton, to widen sections of Highland Avenue.

Mr. Scott Brightman, member, recommended adoption on behalf of the Finance Committee.

Unanimous consent was given to allow non-resident Richard P. Merson, Director of Public Works, to address Town Meeting. Mr. Merson advised that the Gould Street and First Avenue areas are part of the final phase of the Route 128 Add-A-Lane.

Mr. Paul A. Siegenthaler expressed concern that this is similar, but different to the portion of Chestnut Street that we accepted because of the State's incompetency. This time it depends on our neighbor, City of Newton. There is a bridge between Newton and Needham that no one wants to fix.

A motion to amend was offered by Mr. Paul A. Siegenthaler in the sixth line to add the words "the full amount of" before the word "funds" and to add the words "necessary for proper repair of this roadway" after the word "funds".

Mr. Gerald A. Wasserman, Selectman, advised that there is always a possibility that the Town won't get all the money, but we do need to get this done. He spoke against the motion to amend and asked Town Meeting to allow the Board of Selectmen some judgment.

Mr. Siegenthaler's motion to amend was presented, but it failed to pass by voice vote.

ACTION: The main motion was presented and carried by majority vote on a voice vote.

ARTICLE 7: ESTABLISH MINUTEMAN SCHOOL STABILIZATION FUND

To see if the Town will vote to approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, in accordance with M.G.L. Chapter 71, Section 16G1/2; or take any other action relative thereto,

Article Information: The Minuteman School District proposes to establish a stabilization fund as part of its financial management structure. Town Meeting approval by majority of member communities (9 of 16) is required. The School District's purpose is to improve flexibility and stability in its long term financial planning. The fund is intended to be used to build up cash reserves to handle small and medium-sized capital projects, and to handle emergency capital needs without disrupting the District's rate structure. The District is not requesting funding at this time.

MOVED: That the Town vote to approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, in accordance with M.G.L. Chapter 71, Section 16G1/2.

Mr. Daniel P. Matthews, Chairman, recommended adoption of this proposal on behalf of the Board of Selectmen.

Unanimous consent was given to allow Mr. Jeffrey Stulin, Needham's representative to the Minuteman Regional High School Committee, and Minuteman Superintendent Dr. Edward Bouquillon.

Dr. Edward Bouquillon, Minuteman Superintendent of Schools, advised that Minuteman is a fabulous school. The school's budget seeks to continue its commitment to work closely with business and industry, look at job growth, living wage, student interest, emerging occupations, alternate training resources, and strategic industry partners. He advised that residents of the 16-town district can apply for post graduate training at no cost. There are currently 18 plus 1 graduate student from Needham attending Minuteman. He further noted that they are looking to establish a Stabilization Fund which would allow the school committee to take care of emergencies.

Mr. Michael A. Taggart, member, recommended adoption on behalf of the Finance Committee. The purpose of the Stabilization Fund is a form of protection against extraordinary repairs.

In response to an inquiry from Mr. Paul F. Denver, Dr. Bouquillon advised that Minuteman relied on the E & D fund for extraordinary repairs. However, historically the E & D fund was not used.

In response to an inquiry from Mr. Paul G. Smith, Dr. Bouquillon advised that 13 of the 16 district towns have passed the budget and 5 towns have passed the Stabilization Fund.

ACTION: The main motion was presented and carried by majority vote as declared by the Moderator.

At 10:10 P.M. Mr. Daniel P. Matthews offered the following Resolutions:

THE FOLLOWING RESOLUTION

Was offered

In Memory of William L. Sweet

WHEREAS: William L. "Bill" Sweet served in the U.S. Navy during World War II and then resided in Needham for more than 60 years. He was the husband of Mary Caroline (Jenks) Sweet and the late Lillian (Kroetzsch) Sweet; and

WHEREAS: Bill Sweet was an active member of the Needham Community Council, serving on the board of directors and the executive committee. He was a founder of the "Widowed to Widowed" program of the Needham Retired Men's Club, and was a member of the Norfolk Lodge, A.F. & A.M. for fifty years; and

WHEREAS: In 1994, the Needham Exchange Club honored Bill Sweet with its Book of Golden Deeds Award, which is presented annually to a Needham resident who has a history of selfless contributions to the betterment of the Town; and

WHEREAS: In 1984, Bill Sweet donated more than four acres of land along Central Avenue to the Town of Needham, which is now known as the Sweet Wildlife Preserve; and

WHEREAS: Bill Sweet was instrumental in the development of the zoning to enable what is now the New

England Business Center, and served as a Town Meeting Member for almost 40 years, from 1957 to 1996.

NOW THEREFORE, be it resolved by this body that the May 11, 2009 Special Town Meeting be dissolved in honor of the many civic and community contributions of William L. Sweet to the Town of Needham.

THE FOLLOWING RESOLUTION

Was offered

In Memory of Ernest "Bud" Marston

WHEREAS: Ernest "Bud" Marston was born and raised in Needham, and graduated from the Newton Trade School. He served in the United States Army Air Corps during World War II, where he was assigned to the Air Transport Command and served in North Africa and India; and

WHEREAS: Bud Marston settled in his hometown of Needham with his wife Anna (McElroy) Marston, where they raised their children Linda, Cynthia, and Glenn; and

WHEREAS: Bud Marston had a 32 year career as a Firefighter in the Needham Fire Department, retiring in 1979; and

WHEREAS: Bud Marston was an active member of the Christ Episcopal Church. He was also a member of the Norfolk Lodge A.F. & A.M., the Aleppo Temple Shriners, the Scottish Rite Bodies of Boston, and the Firefighter Square and Compass Club; and

WHEREAS: Bud Marston was a long-time and successful fundraiser for the Muscular Dystrophy Association, and was recognized by the American Red Cross for having donated over 100 pints of blood. Mr. Marston will be remembered for his daily moped travels around Needham in his later years, as he handed out thousands of inspirational poems to both children and adults; and

WHEREAS: Bud Marston served as a Town Meeting Member from 1968 to 1972.

NOW THEREFORE, be it resolved by this body that the May 11, 2009 Special Town Meeting be dissolved in honor of the many civic and community contributions of Ernest "Bud" Marston to the Town of Needham.

ACTION: At 10:15 P.M. on Monday, May 11, 2009, the Resolutions were presented and carried unanimously by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy
ATTEST:

The Moderator called the Annual Town Meeting back to session, declared a quorum to be present and requested the Town Clerk to so record.

At this time Mr. Russell S. Board moved to advance consideration of the subject matter of Article 25. He explained that Mr. Roderick A. MacLeod of 33 Mills Road has come the last two nights to address Article 24.

Mr. Broad's motion to advance was presented and carried unanimously by voice vote.

ARTICLE 25: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate a sum for the purpose of funding the Needham Property Tax Assistance program, said sum to be spent under the direction of the Town Manager and raised from the tax levy, or by any other action relative thereto.

Article Information: The intention of the Board of Selectmen is to set a target annual appropriation level for the proposed Needham Property Tax Assistance program equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of amount of \$25,000 (2008 dollars). The voluntary program has been receiving contributions of approximately \$15,000 per year.

VOTED: That the Town vote to raise and/or transfer and appropriate a sum for the purpose of funding the Needham Property Tax Assistance program, said sum to be spent under the direction of the Town Manager and raised from the tax levy.

A motion to amend was offered by Mr. Gerald A. Wasserman by deleting the words "a sum" and inserting in place thereof the sum "\$1,000". It was noted that the sum of \$1,000 is no longer removed from Article 24.

Mr. Wasserman explained that this article creates a new fund for seniors that have a need. Articles 13 and 14 that were previously adopted are local options that assist seniors and are enabled with specific needs. The money comes from the Overlay account for these programs. Needham also has a property tax relief program. The goal is to match previous year's donations. Mr. Wassermann noted that the amount doesn't match donations per year because the budget had already been set. The Board of Selectmen hopes to match the donations next year. He recommended adoption on behalf of the Board of Selectmen.

Mr. David J. Escalante, Chairman, recommended adoption on behalf of the Finance Committee.

Mr. Russell S. Broad, Jr. addressed this proposal and was in strong support of Article 25. He explained that he contacted Mr. Wasserman in 2007 and again in 2008. Hopefully, this would like this voluntary fund to be fully funded by this fall or next spring. This would apply to needy seniors with income under \$10,000. While some work has begun to reduce costly benefits, it is time for the town to make more progress in this area. Mr. Broad introduced Mr. Roderick MacLeod, a senior citizen in Needham.

Mr. Roderick MacLeod spoke in favor of this proposal. He explained that he, like many seniors in Needham are veterans who have lived here all their lives. He noted how difficult it was to save money until after the kids finished their education. For many the average income is around \$30,000 and the average tax bill is approximately \$6000 or 20% of the annual income.

Mr. Lee Garf appreciated the passion of this argument, but feels this has very little impact on seniors. He does not feel the Town should support this proposal.

Speaking in favor of this proposal were the following Town Meeting Members: Terence P. Noonan, Michael A. Cerundolo, and Richard B. Dagen.

After a brief discussion a motion to move the previous question was offered by Jane A. Howard. The motion was presented and carried unanimously by voice vote.

Mr. Wasserman's motion to amend was presented and carried by voice vote as declared by the Moderator.

ACTION: The main motion, as amended, was presented and carried on a majority voice vote as declared by the Moderator.

VOTED: That the Town vote to raise and/or transfer and appropriate \$1,000 for the purpose of funding the Needham Property Tax Assistance program, said sum to be spent under the direction of the Town Manager and raised from the tax levy.

At 11:10 P.M. Mr. Gilbert W. Cox moved that the Annual Town Meeting stand adjourned to Wednesday May 13, 2009 at 7:30 P.M. at the Newman School, and it was so voted by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy
Attest:

ADJOURNED ANNUAL TOWN MEETING

Wednesday, May 13, 2009

Pursuant to adjournment of the Annual Town Meeting held May 11, 2009, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Newman School on Wednesday May 13, 2009, at 7:30 P.M.

Check lists were used and 216 voters were checked on the list as being present, including 209 Town Meeting Members.

The Moderator introduced the Reverend John A. Buehrens, Pastor, of the First Parish Unitarian-Universalist Church, who provided the invocation.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

ARTICLE 19: VOTES AND RESOLUTIONS OF TOWN MEETING

To see if the Town will vote to amend Section 1.4 of Article 1 of the General By-Laws as follows:

1. By revising the title caption of said Section 1.4, which now reads "SECTION 1.4 VOTES" to read "SECTION 1.4 VOTES AND RESOLUTIONS; and
2. By adding at the end of said Section 1.4 the following paragraphs:

1.4.4 No resolution other than a motion to dissolve the Town Meeting or to honor a decedent or a current or a former inhabitant of the Town for his or her services to humanity, the United States, the Commonwealth, or the Town, may be adopted by the Town Meeting, except pursuant to a Warrant Article published in the Warrant for that Town Meeting, which notifies the inhabitants of the Town that such a resolution and its subject matter is to be discussed at that Town Meeting.

1.4.5 Motions offered under the concluding "Omnibus Article", so called, of a Town Meeting Warrant, must be germane to the subject matter of an Article or Articles previously set forth in that Warrant, or to subjects expressly identified in the writing of the "Omnibus Article" itself;

or take any other action relative thereto.

Article Information: This article provides for a by-law amendment to narrow the permissible uses of the Omnibus Article, which is traditionally the last article in Needham's Town Meeting warrant. The form of omnibus article used in Needham is broadly written to allow action on any "matters which may properly come before the meeting." The Omnibus has been most commonly used for technical corrections, unforeseen issues arising during the course of the meeting, and memorial resolutions. There have, however, been instances of perceived abuse, such as motions to adopt resolutions on substantive matters without fair public notice in the warrant. Article 19 would limit the scope of the Omnibus, other than honorary and memorial resolutions, to matters specifically set forth in the warrant.

MOVED: That the Town vote to amend Section 1.4 of Article 1 of the General By-Laws as follows:

1. By revising the title caption of said Section 1.4, which now reads "SECTION 1.4 VOTES" to read "SECTION 1.4 VOTES AND RESOLUTIONS; and
2. By adding at the end of said Section 1.4 the following paragraphs:

1.4.4 No resolution other than a motion to dissolve the Town Meeting or to honor a decedent or a current or a former inhabitant of the Town for his or her services to humanity, the United States, the Commonwealth, or the Town, may be adopted by the Town Meeting, except pursuant to a Warrant Article published in the Warrant for that Town Meeting, which notifies the inhabitants of the Town that such a

resolution and its subject matter is to be discussed at that Town Meeting.

- 1.4.5 Motions offered under the concluding "Omnibus Article", so called, of a Town Meeting Warrant, must be germane to the subject matter of an Article or Articles previously set forth in that Warrant, or to subjects expressly identified in the writing of the "Omnibus Article" itself.

A motion to amend was offered by Mr. Daniel P. Matthews to amend the main motion as printed in the warrant by striking paragraphs 1.4.4 and 1.4.5 and inserting in place thereof:

1.4.4 No motion shall be offered under the concluding "Omnibus Article" other than:

a. a motion which is germane to the subject matter of an article which is set forth in the Warrant, or

b. a motion for a purpose expressly identified in writing in the Omnibus Article itself unless the Town Meeting member offering the motion provides a written statement as to why the motion should be considered notwithstanding the motion's not having been published in the Warrant.

Mr. Paul F. Denver addressed this proposal on behalf of the Town Meeting Study Committee. He explained that reason for this article is to make sure that the citizens and officials have an opportunity to preview proposals and marshal facts. He urged support of this article.

Mr. Daniel P. Matthews, Chairman, addressed this proposal on behalf of the Board of Selectmen. He advised that the Omnibus Article has value in Needham. This proposal would eliminate trial by surprise and ask Town Meeting Members to consider voting in favor of this article.

Mr. Richard S. Creem, member, addressed this proposal on behalf of the Finance Committee. He suggested that the Omnibus Article is an important tool. Most of the articles to come before Town Meeting under the Omnibus Article are brought to the Moderator who makes a decision based on Town Meeting rules. The Finance Committee feels this article should be left as is and it is better not to tie the Moderator's hands. The Finance Committee did not recommend adoption of this proposal.

Mr. Alan S. Fanger suggested that it is not good to impinge on an individual's right to speak.

Mr. James Hugh Powers advised that there is no first amendment feature to this article and that people have the right to be notified. This is a straight forward issue.

In response to an inquiry from Nina Silverstein, Mr. Denver advised that it is the opinion of the Town Meeting Study Committee that if the resolution is pertinent to an article, it should be included.

In response to an inquiry from Mr. Erik J. Bailey, the Moderator noted that he would respond to a procedural question. If an article relates back to the budget, it would be binding. Resolutions are usually not binding.

Mr. David C. Harris advised that he is inclined not to support this article. The Omnibus Article gives us an opportunity to put a couple of things on the board. Adelaide C. (Lita) Young

e in opposition of this article. He suggested that the Omnibus
icle gives Town Meeting a chance to speak up.

Mr. James Hugh Powers advised that people have the
ht to be properly notified of the business to be discussed. We
ve to follow the rules of fair play.

Maureen T. McCaffrey suggested that some Town
eetings have abolished the Omnibus Article. She noted that we
uld stick with warrant articles. There have been times when
se resolutions have come up in the wee hours of the morning
d it is too late to respond intelligently.

After a brief discussion, a motion to move the previous
estion on the main motion and the motion to amend was offered
Mr. William R. Dermody. The motion was presented and
ried by the required two-thirds vote.

The motion to amend was presented, but it failed to pass
voice vote.

CTION : The main motion was presented but it failed to pass by
ce vote.

ARTICLE 20: CITIZENS PETITION - QUIET ZONE UDY

To see if the Town will vote to raise and appropriate or
ropriate by transfer from available funds a sum of money not
exceed \$12,000 for the purpose of engaging a consultant
lified in the field of railroad safety to study and prepare a
ort with recommendations to the Town as to measures that
ld be taken to increase the safety of commuter railroad grade
ssings in Needham so as to be able to reduce noise from
road horns, and to direct the Transportation Committee
ablished under General By-law Section 2.7.1. to engage said
sultant and to present said report and recommendations to the
t Annual Town Meeting, or take any action relative thereto.

Article Information: The petitioners request \$12,000 to fund a
dy to recommend necessary grade crossing improvements for
ementation of a railroad horn "Quiet Zone" along the
mmuter rail line between Needham Junction and Needham
ights. The Town's Transportation Committee has previously
imated that the cost to the Town of actually implementing the
gram in compliance with Federal regulations would exceed \$1
lion.

OVED: That the Town vote to raise and appropriate or
ropriate by transfer from available funds a sum of money not
exceed \$12,000 for the purpose of engaging a consultant
lified in the field of railroad safety to study and prepare a
ort with recommendations to the Town as to measures that
ld be taken to increase the safety of commuter railroad grade
ssings in Needham so as to be able to reduce noise from
road horns, and to direct the Transportation Committee
ablished under General By-law Section 2.7.1. to engage said
sultant and to present said report and recommendations to the
t Annual Town Meeting.

A motion to refer the subject matter of Article 20 to the
ard of Selectmen and the Transportation Committee for further
dy was offered by Mrs. Jeanne S. McKnight.

Mrs. McKnight explained that the purpose of this article
o create a feasibility study to create a quiet zone relating to the

trains - areas where trains do not blow their horns. Mrs.
McKnight advised that there are approximately 29 areas in
Massachusetts.

Mr. John A. Bulian, Selectman, advised the Board of
Selectmen unanimously supports the motion to refer.

Mr. Michael A. Taggart, member, advised that quiet
zones are reasonable and the Finance Committee approves the
motion to refer.

Michelle S. Ardini was not in favor of this proposal.
She explained that she lives with the trains behind her house and
the quiet zone is called "Sunday".

Mr. Ford H. Peckham rose in opposition to this
proposal. He stated that the town has many projects and this is not
a good use of the town's money. The trains have been in
Needham since the late 1800s.

In response to a request from Mr. Sam Bass Warner, Mr.
Stephen W. McKnight, chairman of the Transportation
Committee, addressed Town Meeting. Mr. McKnight explained
that he is a resident, Chairman of the Transportation Committee
and married to the proponent. He explained that the Transportation
Committee made no estimates on cost. He suggested there was
less risk with supplemental safety precautions.

Claire Patricia Messing suggested that the motion to
refer makes a lot of sense.

In response to an inquiry from Mr. Ford H. Peckham,
Mr. McKnight advised that the Transportation Committee voted 3
to 1 to 1 to ask the Board of Selectmen to put this petition on the
Annual Town Meeting Warrant. They did not vote on cost
estimates.

Mr. Terence P. Noonan spoke in opposition to the
motion to refer.

Mr. Daniel J. Kumin advised that he is a resident and
business owner on Garden Street and the situation is frightening,
disruptive, and loud. It does not cost us anything to refer to the
Board of Selectmen and the Transportation Committee.

Mr. Paul H. Attridge noted that the key word is safety.
The five train crossings all have safety gates. The situation is
safety - not sound.

After a lengthy discussion, a motion to move the
previous question was offered by Mr. John E. Comando. The
motion was presented and carried by two-thirds voice vote.

The motion to refer was presented, but the Moderator
was in doubt. The motion was again presented and the Moderator
still was in doubt. The motion was presented for the third time
and carried by a count of hands. The hand count was Yes 99 - No
99. The Moderator indicated that in the case of a tie, the
Moderator casts a vote or the motion fails. The Moderator voted
in the affirmative and the motion carried. The hand count was Yes
100 - No 99.

Article 21 was previously withdrawn on May 4, 2009.

Article 22 was adopted unanimously on May 4, 2009.

Article 23 was adopted unanimously on May 4, 2009.

ARTICLE 24: APPROPRIATE FOR SENIOR CORPS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$10,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

Article Information: The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid approximately \$800, which is applied to their property tax bill. Eligible individuals are entitled to one payment per fiscal year.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$10,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and raised from the tax levy.

A motion to amend was offered by Mr. Gerald A. Wasserman that the main motion under Article 24 be amended as follows: By deleting the sum "\$10,000" and inserting in place thereof the sum "\$9,000."

Mr. Wasserman, Selectman, explained that many of our seniors are active, vital members of our town. The Board of Selectmen has not designated "seniors in need" as the cause of the moment. They value our seniors. This is a routine article that allows seniors to work off part of their tax bill. On Wednesday night last we took \$1,000 out of this article to fund Article 25. The Board of Selectmen urges your support for both the motion and the motion to amend.

Mr. Michael A. Taggart, member, recommended adoption on behalf of the Finance Committee. He explained that this is one of the Board of Selectmen's standard articles.

The motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and/or transfer and appropriate the sum of \$9,000 for the purpose of funding the Senior Corps program, said sum to be spent under the direction of the Town Manager and raised from the tax levy.

Article 25 was adopted by majority vote on May 11, 2009.

Article 26 was adopted unanimously on May 4, 2009.

Article 27 was previously withdrawn on May 4, 2009.

ARTICLE 28: APPROPRIATE THE FY2010 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$25,000, from the Overlay Surplus in the amount of \$500,000, and from amounts reserved for debt exclusion offsets in the amount of \$390,110; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

MOVED: That the Town see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$25,000, from the Overlay Surplus in the amount of \$500,000, and from amounts reserved for debt exclusion offsets in the amount of \$390,110; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post employment health and life insurance benefits for eligible retirees from the fund established for that purpose.

Mr. David J. Escalante, Chairman, addressed the Fiscal Year 2010 annual budget on behalf of the Finance Committee. He noted that it is a pretty boring budget this year and is similar to last year's budget. He stated that the town has \$106,369,194 in available revenue and that state aid has decreased by 10%. With the success of the High Rock School override, we will see a big jump in property tax.. He also noted that free cash is down this year.

Mr. Escalante advised that the Finance Committee balanced the budget and funded a little extra this year. Townwide expenses appear to have stabilized this year. Education expense is 43% of the budget. The school budget increased by 6.4% and 88% of the school budget is salaries. The Finance Committee thanks Superintendent of Schools Dan Gutekanst for his fiscal prudence. The Recovery Act could provide the School Department with \$2 million this year and next year. Mr. Escalante also noted that school enrollment was increasing but it is now flattening out.

The Moderator announced that there are no amendments to the line items this year.

Mr. Daniel P. Matthews addressed the Fiscal Year 2010 budget from the point of view of the Board of Selectmen. When times are tough, we have to cut and no one wants to cut their own budget. We've also had Proposition 2 ½ since 1980. He noted that on the lower end of the spectrum, the value of less expensive houses have increased in value. We have built four schools and a library in the last decade. These are difficult issues in our country. The Board of Selectmen supports this budget.

In response to an inquiry from Mr. Mark J. Gluesing, Mr. Escalante advised that the Finance Committee has discussed the fire alarm poles in regard to maintenance and upkeep in the past, but not this year. Unanimous consent was given to allow Town Manager and non-resident Kate Fitzpatrick to address town meeting. Mrs. Fitzpatrick advised that they have considered a wireless box system, but are waiting to see how it works in other communities.

Given our economic times, Laura A. Brooks requested the School Committee as part of this community to keep in mind that is sustainable.

Holly Anne Clarke noted that in the Report of the School Committee, 2.5 teachers were cut at the high school. She expressed concern that we need to protect our children. The initial cut was in electives, but now it appears to come from other areas. She questioned how this happened.

Mr. Joseph P. Barnes, Chairman, School Committee, advised that there was much shifting in the budgetary process, but the final decision is 2.5 at the High School. Ms. Clarke noted that the section of the recovery money is to replace staff and she hopes the School Committee will use \$120,000 of the \$2 million to replace staff.

Mr. Richard B. Dagen urged the School Committee to maintain the quality of the school teachers. He also noted a fairly high student/teacher ratio and asked if Needham was becoming less competitive. Mr. Barnes explained that the School Committee tries to bring in and retain the very best teachers while remaining prudent.

In response to an inquiry from Mr. Sean C. Sweeney, Town Manager Kate Fitzpatrick noted that the Town is working on the development of maintenance plans as well as a schedule of replacement.

In response to an inquiry from Lois F. Sockol, Town Manager Kate Fitzpatrick advised that the budget would be adjusted in the fall if there was a swine flu pandemic.

ACTION: The main motion was presented and carried unanimously by voice vote

NOTED: That the Town see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$25,000, from the Overlay Surplus in the amount of \$100,000, and from amounts reserved for debt exclusion offsets in the amount of \$390,110; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation as approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post employment health and life insurance benefits for eligible retirees from the fund established for that purpose.

Townwide Expenses

Non Contributory Retirement Payments	89,000
Contributory Retirement System	4,271,094
Group Health Insurance	8,867,300
Retiree Insurance & Insurance	

Liability Fund	3,446,556
5. Unemployment compensation	92,000
6. Debt Service	9,886,980
7. Worker's Compensation	385,000
8. Casualty Liability & Self Insurance Program	525,000
9. Classification Performance & Settlements	512,300
10. Reserve Fund	1,256,508
Total	29,331,738

Townwide Expense Total 29,331,738

Board of Selectmen & Town Manager

11A Salary & Wages	611,543
11B Purchase of Service & Expenses	166,450
Total	777,993

Town Clerk & Board of Registrars

12A Salary & Wages	258,719
12B Purchase of service & Expenses	33,980
Total	292,699

Town Counsel

13A Salary & Wages	66,989
13B Purchase of Service & Expenses	193,500
Total	260,489

Personnel Board

14A Salary & Wages	1,100
14B Purchase of Service & Expenses	10,500
Total	11,600

Finance Department

15A Salary & Wages	1,350,144
15B Purchase of Service & Expenses	715,252
15C Capital	37,500
Total	2,102,896

Finance Committee

16A Salary & Wages	29,261
16B Purchase of Service	1,300
Total	30,561

General Government Total 3,476,238

Planning Board

17A Salary & Wages	204,227
17B Purchase of Service & Expenses	16,260
Total	220,487

Conservation Department

18A Salary & Wages	69,630
18B Purchase of Service & Expenses	8,155
Total	77,785

Board of Appeals

19A Salary & Wages	24,563
19B Purchase of Service & Expenses	<u>4,088</u>
Total	28,651
Land Use and Development Total	326,923

Police Department

20A Salary & Wages	4,762,651
20B Purchase of Service & Expenses	277,820
20C Capital	<u>118,900</u>
Total	5,159,371

Fire Department

21A Salary & Wages	5,517,917
21B Purchase of Service & Expenses	290,415
21C Capital	<u>15,789</u>
Total	5,824,121

Building Inspector

22A Salary & Wages	435,243
22B Purchase of Service & Expenses	<u>15,682</u>
Total	450,925

Public Safety Total **11,434,417****Minuteman Assessment**

23 Assessment	<u>435,733</u>
TOTAL	435,733

Needham Public Schools

24 Needham Public School Budget	<u>45,382,885</u>
TOTAL	45,382,885

Public Schools Total **45,818,618****Department of Public Works**

25A Salary & Wages	3,224,668
25B Purchase of Service & Expenses	1,387,250
25C Capital	5,500
25D Snow & Ice	<u>200,000</u>
Total	4,817,418

Municipal Parking Program

26 Municipal Parking Program	<u>282,900</u>
Total	282,900

Municipal Lighting Program

27 Municipal Lighting Program	<u>285,300</u>
Total	285,300

Public Works Total**5,385,618****Department of Public Facilities**

28A Salary & Wages	2,732,256
28B Purchase of Service & Expenses	5,002,276
28C Capital	
Total	<u>7,734,532</u>

Public Facilities Total **7,734,532****Health Department**

29A Salary & Wages	372,490
29B Purchase of Service & Expenses	<u>74,355</u>
Total	446,845

Diversified Community Social Services

30A Salary & Wages	515,937
30B Purchase of Service & Expenses	<u>39,670</u>
Total	555,607

Commission on Disabilities

31A Salary & Wages	-
31B Purchase of Service & Expenses	<u>550</u>
Total	550

Historical Commission

32A Salary & Wages	-
32B Purchase of Service & Expenses	<u>1,050</u>
Total	1,050

Needham Public Library

33A Salary & Wages	1,049,991
33B Purchase of Service & Expenses	<u>263,012</u>
Total	1,313,003

Park & Recreation Department

34A Salary & Wages	432,430
34B Purchase of Service & Expenses	<u>110,875</u>
Total	543,305

Memorial Park

35A Salary & Wages	-
35B Purchase of Services & Expenses	<u>750</u>
Total	750

TOTAL: COMMUNITY SERVICES **2,861,110****DEPARTMENT BUDGET TOTAL** **77,037,456****TOTAL OPERATING BUDGET** **106,369,194**

ARTICLE 29: APPROPRIATE THE FY2010 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Personnel	\$ 504,643	8.4	\$ 622,755	9.4	\$ 641,561	9.4	
101B	Expenses	\$ 1,220,633		\$ 1,107,045		\$ 1,118,567		
101C	Operating Capital	\$ 53,085		\$ 58,000		\$ 58,000		
101D	Debt Service	\$ 138,581		\$ 150,000		\$ 150,000		
102	Reserve Fund	Transfers Only		\$ 45,000		\$ 45,000		
TOTAL		\$ 1,916,942	8.4	\$ 1,982,800	9.4	\$ 2,013,128	9.4	
FY 2010 Budget Percentage Change from FY 2009 Budget								1.5%

and that \$535,681 be raised from the tax levy and transferred to the RTS Enterprise Fund; or take any other action relative thereto.

Article Information: This is the budget article to fund and operate the Town's Recycling Center and Transfer Station (RTS). The operating budget for FY2010 is \$30,328 or 1.5% higher than the FY2009 budget. The change is attributable to an \$18,806 increase in personnel related costs (3%), an \$11,522 increase in non-personnel related costs (1%), and no increase in operating capital, debt service or the reserve fund.

The RTS processed and disposed of 7,678 tons of municipal solid waste (MSW/Trash) for incineration at the Wheelabrator waste to energy plant in Billbury, Massachusetts during FY2008. During FY2008 the RTS diverted 392 tons of wood waste material which was used to produce electricity at a wood burning power plant and removed 5,280 tons of materials through the various recycling programs.

During FY2008 the RTS processed 9,179 tons of yard waste material in the yard waste and composting area. The RTS also processed 5,343 tons of public works waste in the materials processing area, which is related to the general fund contribution to this budget. Had the Town not disposed of the materials through the RTS operation, the cost to use private contractors to process this waste would have been higher.

The increase in salary and wages is contractual. The Town has a collective bargaining agreement in place until June 30, 2010. The increase in the expense line is attributable mostly to the Pay Per Throw Bags (\$3,845) and vehicular supplies (\$6,247); the balance of the increase is related to other energy related costs for the operation of the RTS center. The \$58,000 line for capital reflects the annual purchase of containers and transfer trailers. The Town began accounting for these costs through the operating budget in FY2008, rather than through a special financial warrant article. The ongoing and annual nature of these expenditures falls into the operational category. Debt service is level at \$150,000 and supports the debt capacity requirements to continue the current RTS operations. The reserve fund is level dollar as well for FY2010. The RTS also reimburses the general fund for costs incurred and paid by the general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The RTS budget is funded through a combination of property tax revenue and user fees.

MOVED: That the Town vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
101A	Personnel	\$ 504,643	8.4	\$ 622,755	9.4	\$ 641,561	9.4	
101B	Expenses	\$ 1,220,633		\$ 1,107,045		\$ 1,118,567		
101C	Operating Capital	\$ 53,085		\$ 58,000		\$ 58,000		
101D	Debt Service	\$ 138,581		\$ 150,000		\$ 150,000		
102	Reserve Fund	Transfers Only		\$ 45,000		\$ 45,000		
TOTAL		\$ 1,916,942	8.4	\$ 1,982,800	9.4	\$ 2,013,128	9.4	
FY 2010 Budget Percentage Change from FY 2009 Budget								1.5%

and that \$535,681 be raised from the tax levy and transferred to the RTS Enterprise Fund.

Mr. John A. Bulian, Selectmen, advised that the Board of Selectmen unanimously supports Article 29.

Mr. Steven Rosenstock, member, recommended adoption on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 30: APPROPRIATE THE FY2010 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Personnel	\$ 539,721	9.2	\$ 591,719	9.2	\$ 599,718	9.2	
201B	Expenses	\$ 242,266		\$ 261,234		\$ 267,547		
201C	Capital Outlay	\$ 59,911		\$ 25,000		\$ 39,000		
201D	MWRA Assessment	\$ 4,911,005		\$ 4,969,440		\$ 5,095,980		
201E	Debt Service	\$ 1,105,764		\$ 1,175,000		\$ 1,200,000		
202	Reserve Fund	Transfers Only		\$ 35,000		\$ 35,000		
TOTAL		\$ 6,858,667	9.2	\$ 7,057,393	9.2	\$ 7,237,245	9.2	
FY 2010 Budget Percentage Change from FY 2009 Budget								2.5%

Or take any other action relative thereto.

Article Information: This is the budget article to fund and operate the Town's sanitary sewer system. The operating budget for FY2010 is \$179,852 or 2.5% higher than the FY2009 budget. The salary and wage line shows an increase of only \$7,999 or 1.4% but this is due to personnel changes between the water and sewer operations. There is a corresponding increase in the Water Enterprise Fund budget. The expense line is up \$6,313 or 2.4%, which is related to energy costs. The MWRA assessment is up \$126,540 or 2.5% higher than the FY2009 budget which reflects a 4.1% increase over the final assessment for FY2009. This increase, however, is lower than the overall average increase of 7.5% that the MWRA assessed to member communities for FY2010. The smaller increase for Needham is partially attributable to the investment that the Town makes to remove Infiltration and Inflows (I/I) into the Town's sewer system. Infiltration results from cracks and breaks in sewer lines which allows ground water to seep into the system and increases the amount of volume that is processed by the MWRA. Inflow is sewerage and water entering the system from pipes and illegal hookups into the system. Many communities invest in removing I/I from their systems, and those communities that keep ahead of the others help contain (transfer) the cost of the annual assessment to other member communities. The final assessment from the MWRA will be affected by the amount of sewer rate relief that is provided to the Authority by the State, which will not be known until after the budget is voted by the Legislature and approved by the Governor. The increase in debt service is based on approved projects, and is in keeping with the overall sewer capital infrastructure funding plan for long term investments. The annual debt service for sewer is based on an average of \$1.2 million per year. The Sewer Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Sewer Enterprise Fund budget is a self-supporting account. Sewer user fees and charges cover the entire cost of operations.

MOVED: That the Town vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Personnel	\$ 539,721	9.2	\$ 591,719	9.2	\$ 599,718	9.2	
201B	Expenses	\$ 242,266		\$ 261,234		\$ 267,547		
201C	Capital Outlay	\$ 59,911		\$ 25,000		\$ 39,000		
201D	MWRA Assessment	\$ 4,911,005		\$ 4,969,440		\$ 5,095,980		
201E	Debt Service	\$ 1,105,764		\$ 1,175,000		\$ 1,200,000		
202	Reserve Fund	Transfers Only		\$ 35,000		\$ 35,000		
	TOTAL	\$ 6,858,667	9.2	\$ 7,057,393	9.2	\$ 7,237,245	9.2	
FY 2010 Budget Percentage Change from FY 2009 Budget								2.5%

Mr. John A. Bulian, Selectmen, advised that the Board of Selectmen unanimously supports Article 29.

Mr. Steven Rosenstock, member, recommended adoption on behalf of the Finance Committee.

CTION: The main motion was presented and carried unanimously by voice vote.

At 11:00 P.M. Mr. Gilbert W. Cox moved that the Annual Town Meeting stand adjourned to Monday May 18, 2009 7:30 P.M. at the Newman School, and it was so voted by voice te.

Theodora K. Eaton, MMC
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

Monday, May 18, 2009

Pursuant to adjournment of the Annual Town Meeting held May 13, 2009, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Newman School on Monday May 18, 2009, at 7:30 P.M.

Check lists were used and 213 voters were checked on the list as being present, including 206 Town Meeting Members.

The Moderator introduced the Reverend Jennifer Hitt, Pastor, Grace Lutheran Church, who provided pastoral guidance.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Carol Johnson Boulris, Chairman, Needham Historical Commission presented the Raymond F. Bosworth award to Helen and Bruce Gregory on the restoration of the 1853 Nutter Twig home on Webster Street and to Steven Bransman and Lewis Cohens renovation of the Thorpe-Gorse mill into condos for artists.

Discussion commenced under Article 31.

true copy
test:

ARTICLE 31: APPROPRIATE THE FY2010 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Personnel	\$ 841,930	14.5	\$ 934,578	14.5	\$ 1,001,824	14.5	
301B	Expenses	\$ 936,421		\$ 970,767		\$ 1,068,621		
301C	Capital Outlay	\$ 20,000		\$ 20,000		\$ 20,000		
301D	MWRA Assessment	\$ 958,624		\$ 1,075,204		\$ 427,396		
301E	Debt Service	\$ 1,286,216		\$ 1,350,000		\$ 1,500,000		
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000		
TOTAL		\$ 4,043,191	14.5	\$ 4,425,549	14.5	\$ 4,092,841	14.5	
FY 2010 Budget Percentage Change from FY 2009 Budget								-7.5%

Or take any other action relative thereto.

Article Information: This is the budget article to fund and operate the Town's water system. The operating budget for FY2010 is \$332,708 or 7.5% lower than the FY2009 budget. This reduction is due to an approximate 60% decrease in the MWRA water assessment. The MWRA bills the Town for actual water consumption in the calendar year preceding the new fiscal year; the FY2010 water assessment is based on the CY2008 water use. The preliminary water assessment for FY2010 is \$647,808 lower than the FY2009 budget. The final assessment from the MWRA is not expected until the end of the State Budget process. The decrease in billable consumption is mostly attributable to less water being purchased from the MWRA because the Town's wells were able to meet the daily demands more often, which may be due to the wetter spring/summer that reduced the peak demand for water use because not as much outside irrigation was occurring at the same time. The salary and wage line shows an increase of \$67,246 or 7.2% over the FY2009 budget, this is due to both personnel changes between the water and the sewer operations, and an increase in after hours work. The combined salary and wage appropriation for the two enterprise funds is \$75,245 or 4.9% over FY2009. The water enterprise expenses are 10% higher or \$97,854 more than FY2009. More than 80% of the increase in the expense line is related to significant price increases and quantity requirements for essential water treatment chemicals: Sodium Hypochlorite (23%); Sodium Hydroxide (46%); Potassium Permanganate (21%); Hydrofluosilicic Acid (37%); and Phosphate (200%). Other increases include energy costs to operate the plant.

The increase in debt service is based on approved projects, and is in keeping with the overall water capital infrastructure funding plan for long term investments. The annual debt service for water is based on an average of \$1.5 million per year. Operating capital is level at \$20,000 for FY2010, and the reserve fund is level as well. The Water Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Water Enterprise Fund budget is a self-supporting account. Water user fees and charges cover the entire cost of operations.

MOVED: That the Town vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the DPW during fiscal year 2010, under the provisions of M.G.L., Chapter 44, Section 53F ½:

Line #	Description	FY 2008		FY 2009		FY 2010		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Personnel	\$ 841,930	14.5	\$ 934,578	14.5	\$ 1,001,824	14.5	
301B	Expenses	\$ 936,421		\$ 970,767		\$ 1,068,621		
301C	Capital Outlay	\$ 20,000		\$ 20,000		\$ 20,000		
301D	MWRA Assessment	\$ 958,624		\$ 1,075,204		\$ 427,396		
301E	Debt Service	\$ 1,286,216		\$ 1,350,000		\$ 1,500,000		
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000		
TOTAL		\$ 4,043,191	14.5	\$ 4,425,549	14.5	\$ 4,092,841	14.5	
FY 2010 Budget Percentage Change from FY 2009 Budget								-7.5%

Mr. John A. Bulian, Selectman, addressed this proposal on behalf of the Board of Selectmen.

Mr. Steven Rosenstock, member, recommended adoption on behalf of the Finance Committee.

In response to an inquiry from Ford H. Peckham regarding saving money by tapping into the Elm Bank Aquifer source on the Peckham/Wellesley line, Town Manager Kate Fitzpatrick indicated that there is a water supply study that could include tapping into that area.

ACTION: The main motion was presented and carried unanimously by voice vote.

Article 32: So voted by unanimous vote on May 4, 2009.

Article 33: So voted by unanimous vote on May 4, 2009.

Article 34 was previously withdrawn on May 4, 2009.

ARTICLE 35: APPROPRIATE FOR CPA PROJECT - TOWN HALL HISTORIC PRESERVATION

To see if the Town will vote to raise and/or transfer and appropriate \$18,155,746 for architectural design and engineering for the construction, and/or renovation of Town Hall, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,099,120 is raised from Community Preservation Receipts, that \$882,460 be transferred from the Community Preservation Historic Reserve, that \$1,121,500 be transferred from the FY2009 Community Preservation General Reserve, that \$3,726,153 be transferred from CPA Free Cash, that \$10,062 be transferred from Article 47 of the May, 2006 Annual Town Meeting and that \$16,451 be transferred from Article 18 of the 2001 Annual Town Meeting; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$200,000 under M.G.L., Chapter 44B, as it may hereafter be amended and to borrow \$4,100,000 under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article Information: At the May 2008 Annual Town Meeting, \$1,000,000 was appropriated from CPA funds to design the renovation of Town Hall. The October 27, 2008 Town Meeting voted to approve the concept of renovating and expanding the Town Hall including the construction of an addition along the full length of the rear exterior wall and the restoration of the second floor hall. This article requests the appropriation for preservation, renovation and construction within the existing building and an adjacent addition. The request is for approximately 80% funding from CPA in a combination of bonds and cash appropriation. The remaining funds, primarily for the new building, will be funded through the general fund borrowing.

VOTED: That the Town of Needham will vote to raise and/or transfer and appropriate \$18,155,746 for architectural design and engineering for the construction, and/or renovation of Town Hall, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,099,120 is raised from Community Preservation Receipts, that \$882,460 be transferred from the Community Preservation Historic Reserve, that \$1,121,500 be transferred from the FY2009 Community Preservation General Reserve, that \$3,726,153 be transferred from CPA Free Cash, that \$10,062 be transferred from Article 47 of the May, 2006 Annual Town Meeting and that \$16,451 be transferred from Article 18 of the 2001 Annual Town Meeting; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$200,000 under M.G.L., Chapter 44B, as it may hereafter be

amended and to borrow \$4,100,000 under M.G.L., Chapter 44, Section 7.

Jane A. Howard, member, presented this report on behalf of the Community Preservation Committee. She advised that the Town accepted the Community Preservation Act in 2004 and that the Town Hall was not the only reason for the creation of the Community Preservation Committee, but the renovation is a necessity. She urged an affirmative vote on Article 35.

Denise C. Garlick, Selectman, explained that the renovation of Town Hall has been in the works for more than a decade. She indicated that now is the right time to move forward and it is affordable. She urged adoption on behalf of the Board of Selectmen.

Mr. Scott Brightman, member, recommended adoption on behalf of the Finance Committee. He explained that 70% of the cost for the renovation, addition and construction will be covered by CPA funds. CPA funding comes from two sources - the town's property taxes and state matching funds. The original 100% state match is now down to 20% matching funds since so many communities have voted to accept the Community Preservation Act.

Messrs. Robert Y. Larsen, Paul S. Alpert and Alan S. Fanger rose in support of this proposal.

Mr. Richard S. Mann asked if this proposal is for the architectural design or the actual construction and renovation of Town Hall. He suggested adding the word "and" after the word "engineering in the second line of the motion. Because only the Community Preservation Committee can make a motion to amend, Paul A. Siegenthaler moved to add the word "and" after the word "engineering".

After a brief discussion, a motion to move the previous question was offered by Mr. Sam Bass Warner. The motion was presented and carried by voice vote.

The motion to amend by adding the word "and" after the word "engineering" was presented and carried by voice vote.

ACTION: The main motion, as amended, was presented and carried by the required two-thirds vote on a voice vote as declared by the Moderator.

VOTED: That the Town of Needham will vote to raise and/or transfer and appropriate \$18,155,746 for architectural design and engineering and for the construction, and/or renovation of Town Hall, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,099,120 is raised from Community Preservation Receipts, that \$882,460 be transferred from the Community Preservation Historic Reserve, that \$1,121,500 be transferred from the FY2009 Community Preservation General Reserve, that \$3,726,153 be transferred from CPA Free Cash, that \$10,062 be transferred from Article 47 of the May, 2006 Annual Town Meeting and that \$16,451 be transferred from Article 18 of the 2001 Annual Town Meeting; and that to meet this

appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$7,200,000 under M.G.L., Chapter 44B, as it may hereafter be amended and to borrow \$4,100,000 under M.G.L., Chapter 44, Section 7.

ARTICLE 36: APPROPRIATE FOR CPA PROJECT – AFFORDABLE HOUSING CONSULTING ASSISTANCE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for consulting assistance to support the development of affordable housing, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

Article Information: The requested funds would be utilized for the services of a housing consultant or consultants. The housing consultant(s) would assist the Town in formulating substantive and procedural requirements for reviewing applications submitted to the Town for comprehensive permits under Chapter 40B, a goal set forth in the Town's Affordable Housing Plan. The consultant(s) would also be able to provide technical or legal assistance as needed by the Town Manager and other departments.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$25,000 for consulting assistance to support the development of affordable housing, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve.

Mr. John H. Cogswell, member, presented this proposal on behalf of the Community Preservation Committee and noted that the CPC unanimously recommends adoption of this proposal. He stated that this article is fully compatible with the CPC.

Mr. Gerald A. Wasserman, Selectman, advised that a housing consultant would create better projects and cause less expense for the town. He noted that the Board of Selectmen unanimously supports this article.

Mr. Richard Reilly, member, recommended adoption on behalf of the Finance Committee

In response to an inquiry from Mr. Paul S. Alpert, Mr. Wasserman advised that a housing consultant would be used on an as needed basis.

ACTION: The main motion was presented and carried by majority declared on a voice vote by the Moderator.

Article 37 was previously withdrawn on May 4, 2009.

ARTICLE 38: APPROPRIATE FOR CPA PROJECT – ADDITIONAL EASEMENT RESEARCH TO COMPLEMENT MASTER PLAN FOR TRAILS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for additional easement research to complement the Master Plan for Trails, to be spent under the direction of the Town Manager and raised from Community Preservation Receipts; or take any other action relative thereto.

Article Information: As the Trails Comprehensive Master Plan was developed, it was evident that much of the legal information related to easements was not readily available. This project would identify and collect information from deeds to clarify easements related to existing trails, and allow for exploration of appropriate development of future easements to access public trails and open space.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$25,000 for additional easement research to complement the Master Plan for Trails, to be spent under the direction of the Town Manager and raised from Community Preservation Receipts.

Mr. John E. Comando, member, presented this proposal on behalf of the Community Preservation Committee.

Mr. Daniel P. Matthews, Chairman, Board of Selectmen, explained that this proposal would identify rights of way to reach park lands. This will provide the town with a permanent record of easements within the town.

Mr. Richard Zimbone, member, recommended adoption of Article 38 on behalf of the Finance Committee. He indicated that the Finance Committee agrees with the needs of this research. He also noted that the Finance Committee feels that the CPC projects should be part of the town's Capital Plan.

In response to an inquiry from John P. Connelly, Town Manager Kate Fitzpatrick advised that a portion of the \$25,000 would be used for an interim or part time employee for approximately 6 – 18 months with a reserve for any technical requirements.

In response to an inquiry from Michelle S. Ardini, Mr. Daniel P. Matthews advised that the focus is on access to pedestrian trails.

In response to an inquiry from Mr. Martin Jacobs, Chairman, Planning Board, Mr. Matthews indicated that the Board of Selectmen do not know the exact number of parcels that have to be researched, but estimate in the range of 50 or more.

ACTION: The main motion was presented and carried on a majority voice vote as declared by the Moderator.

ARTICLE 39: APPROPRIATE FOR CPA PROJECT – WINDOWS/ENERGY IMPROVEMENTS FOR SIX 40B HOUSING UNITS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for windows and energy improvements for six 40B housing units, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

Article Information: Under this proposal, Charles River ARC would replace 26 windows and 4 doors with energy efficient models in an early 1900's Victorian group home for six adults with developmental disabilities. This funding would assist the preservation of low income housing.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$25,000 for windows and energy improvements for six 40B housing units, to be spent under the

direction of the Town Manager, said sum to be transferred from the Community Housing Reserve.

Ms. Janet Bernardo, member, recommended adoption of this proposal on behalf of the Community Preservation Committee. This proposal would replace 26 windows and 4 doors at 299 Webster Street, a group home for adults with developmental disabilities.

Mrs. Denise C. Garlick, Selectman, advised that the Board of Selectmen support this article.

Mr. Richard Zimbone, member, recommended adoption of this proposal. This would replace 26 windows and 4 doors at a home owned by the Charles River Association of Retarded Citizens. Mr. Zimbone expressed concern that this appropriation would be seen as maintenance. However, the Finance Committee feels that this is a worthy expenditure for a worthy proposition.

In response to an inquiry from Kim Marie Nicols, Ms. Denise Garlick, Selectman, requested unanimous consent to allow Mr. John Grugan, President of the Charles River Association of Retarded Citizens, to address Town Meeting. Mr. Grugan explained that there is state funding for mental retardation, but the current state budget is not in very good condition in this economy.

In response to an inquiry from Mr. Paul G. Smith, Mr. Paul A. Siegenthaler, Chairman, advised that the funds would be expended under the Town Manager and extra funds would go back to the Community Preservation Fund.

ACTION: The main motion which requires a majority vote was presented and carried by majority vote on a voice vote.

ARTICLE 40: APPROPRIATE FOR CPA PROJECT - HIGH ROCK HOMES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$370,000 for the High Rock Homes project, to be spent under the direction of the Town Manager, said sum be transferred from the Community Preservation Housing Reserve; or take any other action relative thereto.

Article Information: Four of the remaining homes that are for sale are listed at a price affordable to those who earn 110% of the area medium income (AMI.) In combination with a second source of funds, this appropriation would allow the price of these four homes to be reduced to a rate affordable to those who earn 80% of the AMI, and permit the Town to include these homes on the inventory of subsidized housing in Needham.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$370,000 for the High Rock Homes project, to be spent under the direction of the Town Manager, said sum be transferred from the Community Preservation Housing Reserve.

Mr. Mark J. Gluesing, member, addressed this proposal on behalf of the Community Preservation Committee. He explained that the Needham Housing Authority has 40 new condominiums in twenty buildings of which twenty are for rent and twenty are for sale. There are deed restrictions. This article would reduce the remaining four homes to a rate affordable to those who earn 80% of the area medium income (AMI). The Community Preservation Committee recommends adoption of this proposal.

Mrs. Denise C. Garlick, Selectman, recommended adoption on behalf of the Board of Selectmen.

Mr. Richard Zimbone, member, advised that the Finance Committee voted to recommend adoption of Article 40. The town can add these homes to its affordable housing inventory.

In response to an inquiry from Mr. Glenn S. Orenstein, Paul S. Siegenthaler, Chairman, Community Preservation Committee, advised that the Town of Needham currently has 8% affordable housing.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 41: APPROPRIATE FOR CPA PROJECT - TRANSFER OF FUNDS TO CONSERVATION FUND FOR FUTURE OPEN SPACE PURCHASES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for deposit to the Conservation Fund to be used to purchase land, conservation restrictions, easements, or other contractual rights or to undertake other responsibilities defined in M.G.L., Chapter 40, Section 8C, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

Article Information: The enabling legislation governing the establishment of Conservation Commissions allows for the establishment of a Conservation Fund. The Town of Needham established a Conservation Fund in 1963 and made annual appropriations to this fund over the course of several years. Funds allocated to the Conservation Fund may be used to purchase land, conservation restrictions, easements or other contractual rights (by option, purchase, lease or fee) or to undertake other responsibilities defined in the statute. The balance in the fund is approximately \$200,000. Proceeds from the fund were most recently used to cover yearly expenses related to the purchase of the Wiswall property adjacent to Ridge Hill. Proceeds in the fund are readily accessible and will allow the Commission to react quickly to open space and land management opportunities. This appropriation would bring the fund to \$250,000, meeting the goal of the Conservation Commission.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$50,000 for deposit to the Conservation Fund to be used to purchase land, conservation restrictions, easements, or other contractual rights or to undertake other responsibilities defined in M.G.L., Chapter 40, Section 8C, said sum to be transferred from the Open Space Reserve.

Mr. Paul A. Siegenthaler, Chairman, addressed this proposal on behalf of the Community Preservation Committee who voted unanimously to support this article. He explained that this proposal enables the Conservation Commission to purchase land for conservation purposes quickly if it becomes available.

Mr. Gerald A. Wasserman, Selectman, advised that this is a good use of Community Preservation Act funds as it protects our open space and the Board of Selectmen unanimously recommends adoption.

Ms. Lisa Zappala, member, advised that the Finance Committee supports this article. The appropriation of \$50,000 to

the Conservation Fund allows the Conservation Commission to achieve the goal of \$250,000 in this fund.

In response to an inquiry from Mr. Sean C. Sweeney, Mr. Siegenthaler noted that the Town Manager and Conservation Commission have identified several parcels.

Mr. Jeffrey D. Heller spoke in opposition to the proposal indicating that it doesn't seem like due process. Mr. Paul S. Alpert, member of the Conservation Commission, explained that

often when land comes up for sale, a deposit is often needed to bind a contract in order to bring to Town Meeting.

ACTION: The main motion was presented and carried by majority vote declared by the Moderator on a voice vote.

Article 42 was previously withdrawn on May 4, 2009.

ARTICLE 43: APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate \$529,880 pursuant to M.G.L., Chapter 44B from the estimated FY2010 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee	\$ 82,000
B. Debt Service	\$ 0

Reserves:

C. Community Preservation Fund Annual Reserve	\$ 83,880
D. Community Housing Reserve	\$182,000
E. Historic Resources Reserve	\$ 0
F. Open Space Reserve	\$182,000

Or take any other action relative thereto.

Article Information: *This is the fifth year that Town Meeting is being asked to address the Community Preservation Fund and the vote on this article will reflect the decisions made on the previous eight articles. Town Meeting and the voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law required that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation, and open space. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee.*

MOVED: That the Town vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate \$529,880 pursuant to M.G.L., Chapter 44B from the estimated FY2010 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee	\$ 82,000
B. Debt Service	\$ 0

Reserves:

C. Community Preservation Fund Annual Reserve	\$ 83,880
D. Community Housing Reserve	\$182,000
E. Historic Resources Reserve	\$ 0
F. Open Space Reserve	\$182,000.

Mr. Paul A. Siegenthaler, Chairman, advised that this is a housekeeping article. He noted that the Community Preservation Committee perceives many funding requests in the future.

Mr. Gerald A. Wasserman, Selectman, recommended adoption on behalf of the Board of Selectmen.

Mr. Steven Rosenstock, member, advised that the Finance Committee recommends adoption of this article.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 44: RESCIND DEBT AUTHORIZATIONS

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
Mitchell School Roof Replacement	11/1/2006 STM	12	\$700,000	\$78,600
Ambulance & EMS Reporting System	5/5/2008 ATM	37	\$205,000	<u>\$21,400</u>
Total				\$100,000

take any other action relative thereto.

Article Information: When a project is financed by borrowing, the project has been completed, and all the bills have been paid, the balance of the authorization that was not borrowed can be rescinded. A Town Meeting vote to rescind the balance of a borrowing prevents any further borrowing for the project.

MOVED: That the Town vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

<u>Project</u>	<u>Town Meeting</u>	<u>Article</u>	<u>Authorized</u>	<u>Rescind</u>
Mitchell School Roof Replacement	11/1/2006 STM	12	\$700,000	\$78,600
Ambulance & EMS Reporting System	5/5/2008 ATM	37	\$205,000	<u>\$21,400</u>
Total				\$100,000

Mr. John A. Bulian, Selectman, advised that the Board of Selectmen unanimously supports this proposal.

Mr. Michael A. Taggart, member, advised that this proposal is the Board of Selectmen's annual article to rescind remaining balances of borrowing projects. He recommended adoption on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 45: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$2,177,726 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and raised from the tax levy; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Community Service	Memorial Park Fencing & Bleachers	\$64,120	
Community Service	Library Collection Supplement	\$25,000	
Community Service	Cricket Field Building Repairs	\$75,000	
Community Service	Memorial Park Perimeter Fencing	\$49,300	
General Government	Network Servers, Switches & Printers	\$25,000	
General Government	Intel-Based Servers Redundancy	\$130,000	
Public Facilities	DPF Core Fleet Replacement	\$55,452	
Public Facilities	Facilities Maintenance Program	\$450,000	
Public Safety	Shift Commander Vehicle Replacement/C-2	\$35,000	
Public Schools	School Copier Replacement	\$87,012	
Public Schools	School Furniture & Equipment Replacement	\$45,100	
Public Schools	School Technology Equipment	\$305,450	
Public Schools	Hillside School Replacement Doors	\$81,600	
Public Schools	Pollard School Parking Feasibility Study	\$75,000	
Public Schools	Technology/Infrastructure Study Hillside Mitchell	\$50,000	
Public Works	DPW Core Fleet	\$277,742	
Public Works	Snow & Ice Equipment	\$288,000	
Public Works	DPW Small Specialty Equipment	\$59,000	
Total Appropriation		\$2,177,776	

Article Information: All General Fund cash capital items are included as one article. This methodology allows Town Meeting to view general fund cash capital in its entirety as a considered and thoughtful recommendation on the part of the boards and committees, rather than as a series of independent articles. This approach will still allow for amendment of each line item. Capital proposed for funding by debt will continue to be presented as a separate article, in that debt authorizations require a 2/3 vote of Town Meeting. A description of each request follows.

Memorial Park Fencing/Bleachers Additional improvements and security measures are needed to complete the Memorial Park Reconstruction project. The bleachers are 1948 vintage. The bleachers and player benches are constructed of wood and steel and require significant annual maintenance. The crowd control fencing is needed for security and safety of the public for large events. Alternative funding sources, including donations, may be available to fund this item. The project would include bleachers with seating for 500 spectators, (\$14,300), transportable seating (\$25,830), transport wheel kit (\$690), player benches (\$4,800), and portable crowd control fencing (\$18,500).

Library Collection Supplement The Library's materials budget is inadequate for the current level of circulation. As a result of increased circulation patterns, a high level of demand is placed on the Library's collection of various materials. The increased demand wears the items out at a faster rate than would normally be the case. The current materials budget is not sufficient to encompass any large-scale purchase of replacement materials. Since the new Library opened in March, 2006, circulation has increased significantly. One-half of the requested funding will be used for children's materials.

Cricket Building Repairs The Cricket Field Park and building are used throughout the year for Park and Recreation summer programs, High School girl's soccer and lacrosse, general playground use, and year-round storage. The Park and Recreation Department is working with the Public Facilities Department to develop a phased process of completing the needed upgrades for the facility. Work is needed in order to keep the building in usable condition, to provide access to the site for persons with disabilities, to create a more efficient storage system, and to enable the Department to use the facility to hold programs. The requested funding would be for design of the proposed improvements.

Memorial Park Perimeter Fencing The existing wooden guardrails at the top of the hill and in the parking lot are in need of replacement. The wood rail requires constant maintenance and the guardrail does not provide adequate security for events, and the chain link fencing near Pickering Street is in disrepair and needs to be replaced. The proposal includes 610 linear feet of four-foot black chain link fencing with openings at the top of hill (\$24,400), 260 linear feet of four-foot black chain link fencing with openings in the parking lot (\$10,400), 210 linear feet of six-foot black chain link fencing near Pickering Street extension side (\$9,500), and removal of old fencing (\$5,000).

Network Servers, Switches, Printers & Desktops The town-wide network requires many switches and hubs to allow for full access by all departments from various locations. These electronic/fiber devices are located in all Town buildings and do not last indefinitely. When they do fail, access for that department or building is interrupted. This access includes email, internet, file servers, and financial applications located on the IBM AS/400, as well as communication links for all public safety and school buildings. New application servers and the software required to

in them are also a major component of the network and must be included in routine updates. Also part of the town-wide network are network printers that are used by multiple departments and desktop computers that are used for daily office functions. Daily use of network printers has increased significantly due to a policy of not replacing desktop printers when they fail. Network printers are also used by the financial application (HTE) to print reports, invoices, and checks. The recommendation is lower than in previous years, because this will be presented as an annual funding request rather than a higher sporadic request.

Redundant Based Servers Redundancy Currently the Information Technology Center (ITC) does not have the equipment or resources to support a disaster recovery/redundancy plan for the non-IBM servers in the event of a catastrophic event that leaves the Town Hall unusable. Events such as fire, flood, and other natural or man-made occurrences which could cause long term loss of use of the Town Hall or damage to the non-IBM servers could seriously hamper the Town's ability to operate at a basic level. The disaster recovery/redundancy model for the non-IBM servers would allow the data to be housed at a separate location, supported by a generator.

Public Facilities Core Fleet This request is for the replacement of one vehicle and the purchase of one additional vehicle. The vehicle to be replaced is a 1998 Ford E250 cargo van equipped with a tradesman interior package for primary use by the Town's number. The current vehicle has an odometer reading of over 12,000 miles and is due for replacement as it is beyond industry standards for vehicle replacement schedules. The additional vehicle requested is a Ford Escape for the Director of Facility Operations.

Facilities Maintenance Program This project allows for on-going building maintenance efforts, including, but not limited to, mopping, painting, ductwork cleaning, and window replacement. With respect to flooring, the program allows for the replacement of worn, damaged, unsafe, and unsightly floor surfaces. In addition, it provides for the removal of asbestos containing floor tile and allows for its replacement with vinyl composition floor tile in classrooms and carpeting in offices. Unless circumstances require otherwise, the FY2010 funding is intended for Mitchell School classrooms and the Police Station.

This project also allows for the systematic painting of interior and exterior spaces for schools and town buildings in a process that is prioritized based on condition. Unless circumstances require otherwise, the painting program for FY2010 will address the exterior of the Emery Grover building and the painting of various interior spaces at the Pollard Middle School, Newman School, Hillside School, and the Broadmeadow School.

A new addition to the on-going maintenance program is the cleaning of duct work that is part of HV/AC systems throughout the schools and municipal buildings. This program will operate on a rotating basis which will allow each duct system throughout the schools and municipal buildings to be cleaned every 5 to 6 years. Unless circumstances require otherwise, the duct cleaning program for FY2010 will include the Pollard School and the Mitchell School.

Another new component of the plan is the replacement of single pane windows with double pane windows at the Mitchell and Hillside Schools. This effort will help the Town lower its energy consumption at these facilities.

Shift Commander Vehicle/C-2 This request is for the replacement of a 2003 Ford Expedition used daily by the shift commander. The vehicle will have 60,000 to 70,000 miles at the time of replacement. The vehicle is a front-line emergency response vehicle and carries emergency supplies, technology, and information to support many types of incidents. In the past, such vehicles were "handed down" to the Inspection Division after their front line use of five years. Several years ago the Town changed this policy, purchasing passenger vehicles more suited to inspectional work, as the re-used SUV's were very expensive in terms of fuel economy and maintenance. This 2003 vehicle is expected to be sold at auction.

School Copier Replacement In 2003 the Town established a replacement cycle for school photocopiers. School photocopiers are located in all of the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently, the School Department owns 45 copiers and 6 RISO machines. Since FY2005, funds allocated by Town Meeting have replaced approximately five copiers per year on average, or 14 total copiers. Based on the lifecycle replacement methodology used to project copier replacements, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity, seven copiers are due for replacement in FY2010, at a total cost of \$87,012.

School Furniture And Musical Equipment Replacement In FY2005, the Town established an on-going program to replace school furniture and musical equipment at Hillside, Mitchell, Newman and Pollard Schools (all of which are school facilities not scheduled to undergo capital renovation/addition projects in the near future.) In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. The FY2010 request is for \$30,100 based on a summer 2008 inventory and condition analysis of the overall furniture stock at these four schools, following several years of replacement. This analysis revealed that of the 8,032 items presently located at these schools, 14% (or 1,094 items) remain in poor or poor/fair condition, and are in immediate need of replacement. If funded, the FY2010-2014 request would complete the replacement of all items currently identified as 'poor' plus some items of poor/fair condition from the 'fair' category. Unless circumstances require otherwise, The FY2010 funding request is targeted for the Hillside school.

Currently, the School Fine and Performing Arts Department has numerous musical instruments that are 30+ years old and are in need of replacement. The School Department owns a large number of instruments, including pianos, string instruments, brass instruments, woodwind and percussion instruments that, after many years of use, are no longer usable or repairable. Students do purchase more common, less expensive instruments such as clarinets, trumpets and flutes, but a quality band and/or orchestra program must supply large, more expensive instruments to ensure balanced instrumentation. Based on a recent inventory and condition analysis of school musical instruments, approximately 17% of the total stock remains in poor condition, with an additional 14% in fair condition. The FY2010-2014 request of \$15,000 per year is intended to replace approximately 74% of the instruments currently identified as 'poor' and approximately 6% of the instruments currently identified as 'fair.' Unless circumstances require otherwise, the FY2010 request of \$15,000 is intended to replace two upright pianos, two cellos and a bass violin at Needham High School.

School District Technology Upgrade And Replacement This request would fund the replacement of school technology, including instructional computers, administrative computers, printers, and network servers. Additionally, funds are requested to install SMART boards at the Pollard Middle School. The five-year plan is based on replacing Broadmeadow technology over four years beginning in FY2009; replacing Eliot technology over three years, beginning in FY2010; replacing High School technology over five years beginning in FY2012; maintaining a seven year replacement cycle for all other instructional computers; maintaining a five year replacement cycle for administrative computers, as needed; maintaining current inventory quantities, with adjustments for programmatic needs; replacing and recycling data servers in year four; and replacing printers, with a new deployment model for shared laser printing and eliminating inkjet printing over the next five years. The five-year plan incorporates estimated reductions in future years for Pollard and NHS, based on enrollment at Pollard and the introduction of student-owned laptops or wireless devices at the High School. The FY2010 funding would provide \$215,450 to replace 206 instructional computers at Broadmeadow, Eliot, Hillside, Mitchell, Newman, and Pollard; 17 administrative computers; 22 instructional printers; seven administrative printers and five network hardware servers. The additional amount is to furnish SMART boards for the Pollard Middle School.

Hillside School Exterior Door Repair The project will provide for the replacement of twelve (12) doors that still remain from the original building construction, which have outlived their projected duration and should be replaced both for safety and energy conservation purposes. These doors will cost \$6,800 per door to replace.

Pollard Middle School Parking Study This project would fund a parking lot evaluation feasibility study. This study will help the Town evaluate the current parking situation and develop possible solutions to bridge the gap between the 77 parking spaces at the Pollard School and 130 employees who work there. This study will examine all areas surrounding the Pollard Middle School including the existing faculty parking lot, the front drop-off area and bus loop, the rear parking lot, the area behind the school, and neighboring roadways. Parking improvements will be needed to address clogging of neighboring streets, access for emergency vehicles, insufficient driveway length for bus loading and unloading, and both safety and convenience issues for staff, parents, and the general public which may be created by the lack of available parking spaces.

Technology & Electrical Infrastructure Study/Hillside & Mitchell Schools The Facilities Master Plan anticipates renovation of the Hillside and Mitchell schools no sooner than 2018 to bring these facilities to a level of modernization comparable to that of the Eliot and Broadmeadow schools. It would normally be at the time of major renovation that electrical and technology infrastructure would be upgraded. The School Department has identified a current need to expand the technological capabilities of these schools to meet students' needs over the ten-year interim period prior to full renovation. Analysis is also needed to ensure that the capacity of the electrical system is sufficient, regardless of the introduction of new technology. This request would fund technology and electrical infrastructure

studies at both schools to assess electrical capacity and distribution; current and future data cabling needs, including wireless; classroom layouts with built-in technology benches; and audio-visual enhancements for classroom projection of video and data.

Public Works Core Fleet Replacement The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the vehicles scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#2	Garage	2005	Pickup Truck	47,461	\$23,000
#70	Parks	1996	One Ton Dump Truck	63,981	\$59,871
#71	Parks	1996	One Ton Dump Truck	73,658	\$59,871
#10	Highway	1994	SixWheel Dump Truck	43,315	\$135,000

Snow & Ice Equipment This program provides funding to purchase new and replace existing snow and ice equipment. This equipment is critical for the efficient operation of the snow and ice program. Unless circumstances require otherwise, the vehicles and equipment proposed for replacement in 2010 are as follows:

Unit	Division	Year	Description	Miles	Cost
#10A	Highway	1989	Material Spreader	n/a	\$ 28,000
#108	Highway	1989	Sidewalk tractor (Wheel w/blower)	n/a	\$125,000
#206	Highway	1980	Snow Blower (Loader-mounted)	n/a	\$135,000

Small Specialty Equipment This program provides funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of the Parks and Forestry Division's maintenance programs. The trailers are used to transport various pieces of equipment to worksites throughout the Town. Presently, no tractor has the needed hydraulics for the new artificial turf grooming equipment and the 1976 tractor is at the end of its useful life. The tractor is a multi-use piece of equipment. With the proper hydraulic system and attachments, the new tractor can operate the new grooming equipment, mow more efficiently the fields at Ridge Hill; be used for brush control and be used for the many field renovation activities. Unless circumstances require otherwise, the vehicles and equipment scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#350	Parks	1976	Farm Tractor	n/a	\$40,000
#321	Parks	2003	14' Utility Trailer	n/a	\$9,000
#322	Parks	2003	16' Utility Trailer	n/a	\$10,000

MOVED : That the Town vote to raise and/or transfer and appropriate \$2,177,726 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and raised from the tax levy, or take any other action relative thereto:

Group	Description	Recommended	Amendment
Community Service	Memorial Park Fencing & Bleachers	\$64,120	
Community Service	Library Collection Supplement	\$25,000	
Community Service	Cricket Field Building Repairs	\$75,000	
Community Service	Memorial Park Perimeter Fencing	\$49,300	
General Government	Network Servers, Switches & Printers	\$25,000	
General Government	Intel-Based Servers Redundancy	\$130,000	
Public Facilities	DPF Core Fleet Replacement	\$55,452	
Public Facilities	Facilities Maintenance Program	\$450,000	
Public Safety	Shift Commander Vehicle Replacement/C-2	\$35,000	
Public Schools	School Copier Replacement	\$87,012	
Public Schools	School Furniture & Equipment Replacement	\$45,100	
Public Schools	School Technology Equipment	\$305,450	
Public Schools	Hillside School Replacement Doors	\$81,600	
Public Schools	Pollard School Parking Feasibility Study	\$75,000	
Public Schools	Technology/Infrastructure Study Hillside Mitchell	\$50,000	
Public Works	DPW Core Fleet	\$277,742	
Public Works	Snow & Ice Equipment	\$288,000	
Public Works	DPW Small Specialty Equipment	\$59,000	
Total Appropriation		\$2,177,776	

A motion to amend by striking the sum "\$2,177,776" and inserting in place thereof the sum "\$1,145,416" and by changing the following line items:

Group	Description	Changing From:	Changing To:
Community Service	Memorial Park Fencing & Bleachers	\$ 64,120	\$0
Community Service	Cricket Field Building Repairs	\$ 75,000	\$0
Community Service	Memorial Park Perimeter Fencing	\$ 49,300	\$0
General Government	Intel-Based Servers Redundancy	\$130,000	\$0
Public Facilities	DPF Core Fleet Replacement	\$ 55,452	\$0
Public Facilities	Facilities Maintenance Program	\$450,000	\$400,000
Public Schools	School Copier Replacement	\$ 87,012	\$ 46,581
Public Schools	School Furniture & Equipment Replacement	\$ 45,100	\$ 35,100
Public Schools	School Technology Equipment	\$305,450	\$169,393
Public Schools	Pollard School Parking Feasibility Study	\$ 75,000	\$0
Public Works	Snow & Ice Equipment	\$288,000	\$0
Public Works	DPW Small Specialty Equipment	\$ 59,000	\$0.

Mr. Gerald A. Wasserman presented this proposal on behalf of the Board of Selectmen. He noted that this is the third year that the Board has presented the Capital Fund in this manner. He explained that cuts have been made for this year, but these projects will still be needed in the future. He recommended adoption on behalf of the Board of Selectmen.

Mr. David J. Escalante, Chairman, reviewed the capital reductions for the current year, on behalf of the Finance Committee. He explained that these items will not go away, but have been put off for another year. He recommended adoption on behalf of the Finance Committee.

Mr. Wasserman's motion to amend was presented and carried by Unanimous vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

NOTED: That the Town vote to raise and/or transfer and appropriate \$1,145,416 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and raised from the tax levy; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Community Service	Memorial Park Fencing & Bleachers	\$64,120	\$0
Community Service	Library Collection Supplement	\$25,000	\$25,000
Community Service	Cricket Field Building Repairs	\$75,000	\$0
Community Service	Memorial Park Perimeter Fencing	\$49,300	\$0
General			
Government	Network Servers, Switches & Printers	\$25,000	\$25,000
General			
Government	Intel-Based Servers Redundancy	\$130,000	\$0
Public Facilities	DPF Core Fleet Replacement	\$55,452	\$0
Public Facilities	Facilities Maintenance Program	\$450,000	\$400,000
Public Safety	Shift Commander Vehicle Replacement/C-2	\$35,000	\$35,000
Public Schools	School Copier Replacement	\$87,012	\$46,581
Public Schools	School Furniture & Equipment Replacement	\$45,100	\$35,100
Public Schools	School Technology Equipment	\$305,450	\$169,393
Public Schools	Hillside School Replacement Doors	\$81,600	\$81,600
Public Schools	Pollard School Parking Feasibility Study	\$75,000	\$0
Public Schools	Technology/Infrastructure Study Hillside Mitchell	\$50,000	\$50,000
Public Works	DPW Core Fleet	\$277,742	\$277,742
Public Works	Snow & Ice Equipment	\$288,000	\$0
Public Works	DPW Small Specialty Equipment	\$59,000	\$0
Total Appropriation		\$2,177,776	\$1,145,416

ARTICLE 46: APPROPRIATE FOR KENDRICK STREET BRIDGE REPAIR DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$125,000 for the design of the renovation/repair of the Kendrick Street Bridge over the Charles River, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article Information: As it is surrounded on three sides by the Charles River, the Town jointly maintains a number of bridges with neighboring communities. The Massachusetts Bridge Inspection Program has identified a number of bridges to have some level of deficiency and has recommended repairs. This program is essential to improve the structural and/or surface integrity of all bridges throughout Needham. The South Street/Willow Street Bridge and the Kendrick Street Bridge are both in need of repair. Capital Project costs will include surveying, engineering evaluation, design, and repair or reconstruction. Recent reports from Mass Highway indicated that the conditions of the South Street/Willow Street Bridge and the

Kendrick Street Bridge are worsening and are in immediate need of repair. The State has agreed to pay for the repairs of the Willow Street Bridge, which will be designed under the direction of the Town of Dover. FY2010 funding is intended for the Kendrick Street Bridge Evaluation and Design.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$125,000 for the design of the renovation/repair of the Kendrick Street Bridge over the Charles River, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7.

Mrs. Denise C. Garlick, Selectman, presented this proposal and asked for Town Meeting's support on behalf of the Board of Selectmen.

Mr. Richard A. Zimbone, member, recommended adoption on behalf of the Finance Committee.

ACTION: The main motion which requires a two-thirds vote was presented and carried unanimously by voice vote.

ARTICLE 47: APPROPRIATE FOR ROADS, BRIDGES, SIDEWALKS AND INTERSECTION IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$875,000 for repairs to the Town's roads, bridges, sidewalks and intersections, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 27B, or take any other action relative thereto.

Article Information: The roadway system throughout the community developed over the last century. Many miles of roadway, mainly residential, were developed after World War II. A combination of the aging of the earliest roads, the tremendous expansion of the road system, and the inability to provide adequate, ongoing maintenance and repair over the past 25 years has resulted in a significant decline in the overall condition of Needham's roads, bridges, sidewalks, and intersections. This program is essential to improve the structural and surface integrity of the Town's network of accepted streets. The primary strategy in this program is asphalt paving and incidental work directly associated with paving. Incidental work includes corner reconstruction, handicap ramps, leveling, structural overlays, utility adjustments, minor drainage improvements, some drain extension work, street sign replacement, asphalt curbing with grass shoulders and pavement markings. Many streets have insufficient pavement thickness, are poorly shaped, lack curbing and require some drain improvements. Applying this repair strategy in a timely manner will help defer costly and disruptive street reconstruction on all but the most highly traveled roadways. Paving roadways in a timely manner will extend the useful life of the roadway system in the most cost effective manner. This program also provides funding for reconstruction and repair of sidewalks. There are over 160 miles of sidewalks in Needham, of which, 52 miles are designated as school walking routes. This program also funds traffic signal improvements for existing traffic signals and provides funding for new traffic signals where none currently exist.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$875,000 for repairs to the Town's roads, bridges, sidewalks and intersections, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 27B, or take any other action relative thereto.

Mrs. Denise C. Garlick, Selectman, addressed this proposal and recommended adoption on behalf of the Board of Selectmen.

Mr. Michael A. Taggart, member, recommended adoption on behalf of the Finance Committee.

Mr. Michael J. Greis asked that the Board of Selectmen provide a list of roads in the future that need repairs as was done several years ago.

ACTION: The main motion was presented and carried unanimously by voice vote.

Article 48 was adopted unanimously on May 4, 2009.

ARTICLE 49: APPROPRIATE FOR PARKING METERS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$42,000 for replacement of parking meters, to be spent under the direction of the Town Manager, and to meet this appropriation that \$42,000 be transferred from the Parking Meter Fund; or take any other action relative thereto.

Article Information: This is the second year of a two-year request to replace the Town's parking meters to black street side parking meters with fluted bases. These electronic parking meters are easier to read and have a "smart lock" revenue management system. The coin collection system is sealed, which eliminates direct access to the funds collected. The system can produce a collection audit data report to verify the amount of funds collected as well as operational status. Since the installation of the new meters in Needham Center, collections have increased in these meters as compared to the older meters.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$42,000 for replacement of parking meters, to be spent under the direction of the Town Manager, and to meet this appropriation that \$42,000 be transferred from the Parking Meter Fund.

Mr. Gerald A. Wasserman, Selectman, urged support of this proposal on behalf of the Board of Selectmen. He explained that the new meters and collecting more money.

Mr. Michael A. Taggart, member, recommended adoption on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 50: APPROPRIATE FOR ATHLETIC FACILITY MAINTENANCE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$24,000 for athletic facility maintenance and improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that \$10,000 be transferred from Article 33 of the 2005 Annual Town Meeting, and \$14,000 be transferred from Article 36 of the 2004 Annual Town Meeting; or take any other action relative thereto.

Article Information: The Department of Public Works has developed a maintenance plan for all fields, which includes new or total reconstruction, renovation, irrigation and drainage improvements, and equipment replacement and repair of items such as bleachers, fences, backstops, player benches and miscellaneous equipment for all fields and ball diamonds. This article will fund improvements to the Asa Small Diamond. The perimeter fencing and backstops are in need of replacement – the existing installations are those that were originally installed in 1969. Funding would provide new, updated backstops and complete perimeter fencing with gates (\$75,000). The player benches are wood boards and are a high maintenance and safety issue because of the splintering of the wood. The benches would be replaced with a durable constructed product (\$3,200). Finally, the irrigation system at Asa Small is not operational. The system will be replaced and connected to the new irrigation system at DeFazio Park (\$29,000). The entire Asa Small project (\$107,200) will be funded through a combination of the transfer of \$24,000 from prior articles and the designation of \$83,200 from the

DeFazio Track project (Article 4 of the March 3, 2008 Special Town Meeting).

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$24,000 for athletic facility maintenance and improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that \$10,000 be transferred from Article 33 of the 2005 Annual Town Meeting, and \$14,000 be transferred from Article 36 of the 2004 Annual Town Meeting.

A motion to amend was offered by Mr. John A. Bulian by deleting the sum "24,000" and inserting in place thereof the sum "\$107,200" and by inserting after the words "and to meet this Appropriation that" the words "\$83,200 be transferred from Article 4 of the March 3, 2008 Special Town Meeting".

Mr. John A. Bulian, Selectmen, recommended adoption of this proposal on behalf of the Board of Selectmen.

Mr. Michael A. Taggart, member, advised that the Finance Committee supports this Article.

The motion to amend was presented and carried by majority declared by the Moderator on a voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and/or transfer and appropriate the sum of \$107,200 for athletic facility maintenance and improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that \$83,200 be transferred from Article 4 of the March 3, 2008 Special Town Meeting, \$10,000 be transferred from Article 33 of the 2005 Annual Town Meeting, and \$14,000 be transferred from Article 36 of the 2004 Annual Town Meeting.

ARTICLE 51: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$136,609 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from RTS enterprise fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
RTS	Core Fleet Replacement	\$26,609	
RTS	Large Specialty Equipment	\$110,000	
	Total Appropriation	\$136,609	

Article Information: The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the core fleet vehicles scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#56	RTS	2002	Facility Pickup Truck	121,000+	\$ 26,609

RTS Large Specialty Equipment Unit # 91, the Vertical Vibratory Material Screener, is the front line processing device used to handle all DPW infrastructure waste. This unit was placed in service in 2000. By using this equipment, the Town is able to avoid both disposal costs and construction material costs, saving hundreds of thousands of dollars annually.

MOVED: That the Town vote to raise and/or transfer and appropriate \$136,609 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from RTS enterprise fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
RTS	Core Fleet Replacement	\$26,609	
RTS	Large Specialty Equipment	\$110,000	
	Total Appropriation	\$136,609	

Mr. John A. Bulian, Selectman, recommended support of this article on behalf of the Board of Selectmen.

Mr. Richard Reilly, member, recommended adoption on behalf of the Finance Committee.

ACTION: The main motion was presented and carried by majority vote declared by the Moderator on a voice vote.

ARTICLE 52: APPROPRIATE FOR RTS CONSTRUCTION EQUIPMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$230,000 for a front end loader for the RTS, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article Information: Unit #143 is a front line loader at the RTS. This piece of equipment was purchased in 2000. This piece of equipment has been in use for 10 years and has more than 14,500 operating hours and needs to be replaced to ensure continued operations at the RTS.

Unit	Division	Year	Description	Miles	Cost
143	RTS	2000	Front End Loader	n/a	\$230,000

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$230,000 for a front end loader for the RTS, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article Information: Unit #143 is a front line loader at the RTS. This piece of equipment was purchased in 2000. This piece of equipment has been in use for 10 years and has more than 14,500 operating hours and needs to be replaced to ensure continued operations at the RTS.

Unit	Division	Year	Description	Miles	Cost
143	RTS	2000	Front End Loader	n/a	\$230,000.

Mr. John A. Bulian, Selectman, advised that the Board of Selectmen unanimously recommends adoption of this proposal.

Ms. Lisa Zappala, member, recommended adoption on behalf of the Finance Committee.

In response to an inquiry from Laura A. Brooks, Ms. Zappala explained that the town holds on to the retained earnings for smaller items that may be required.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 53: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate \$722,000 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Core Fleet Replacement	\$122,000	
Sewer	Construction Equipment	\$160,000	
Sewer	Large Specialty Equipment	\$345,000	
Sewer	Small Specialty Equipment	\$45,000	
Sewer	Sewer Service Connections	\$50,000	
Total Appropriation		\$722,000	

Article Information: All Sewer Enterprise Fund cash capital items are included as one article. This methodology allows Town Meeting to view cash capital in its entirety as a considered and thoughtful recommendation on the part of the boards and committees, rather than as a series of independent articles. This approach will still allow for amendment of each line item. Capital proposed for funding by debt will continue to be presented as a separate article, in that debt authorizations require a 2/3 vote of Town Meeting. A description of each request follows.

Sewer Core Fleet Replacement The Core fleet consists of passenger vehicles such as sedans and wagons, vans, pick-up trucks, small dump trucks and utility trucks. Unless circumstances require otherwise, the vehicle(s) scheduled to be replaced in FY2010 include:

Unit	Division	Year	Description	Miles	Cost
#19	Sewer	1994	Six Wheel Dump Truck	58,469	\$122,000

Sewer Construction Equipment Unit # 101 is a front line loader in the Water and Sewer Division. This piece of equipment was purchased in 1993. This piece of equipment will be 17 years old next year and is nearing the end of its useful life.

Sewer Large Specialty Equipment This program will provide funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of each division's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. The equipment proposed to be purchased in FY2010 includes a combination jet flusher/vacuum collection truck to replace a 1999 catch basin cleaner (Unit #37).

Sewer Small Specialty Equipment This program will provide funding to purchase new and replace existing Public Works specialty equipment. This equipment is critical for the efficient operation of each division's maintenance programs. The purchase of this equipment will increase productivity and expand the use of maintenance dollars. Unless circumstances require otherwise, the equipment to be replaced in FY2010 includes is an emergency trailer pump used to by-pass sewer pumping stations or alleviate flooding:

Unit	Division	Year	Description	Miles	Cost
#169	Sewer	1998	Trailer Pump, 6 inch	n/a	\$45,000

Sewer Service Connections Installation or replacement of sewer service connections should be performed when roadways are reconstructed or resurfaced. There are homes in Needham that have not been connected to the sewer system. Should these septic systems fail, the homeowners may be ordered to connect to the sewer system for health reasons, regardless of the DPW-imposed moratorium on excavations in new roadways. Homeowners will be encouraged to connect to the system prior to road improvements. However, for those homeowners who do not choose to connect to the system, a partial connection within the right-of-way will be installed.

MOVED: That the Town vote to raise and/or transfer and appropriate \$722,000 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager and transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Core Fleet Replacement	\$122,000	
Sewer	Construction Equipment	\$160,000	
Sewer	Large Specialty Equipment	\$345,000	
Sewer	Small Specialty Equipment	\$45,000	
Sewer	Sewer Service Connections	\$50,000	
Total Appropriation		\$722,000	

Mr. Gerald A. Wasserman, Selectman, recommended adoption of this proposal on behalf of the Board of Selectmen.

Mr. Richard A. Zimbone, member, recommended adoption on behalf of the Finance Committee. He noted that the existing jet flushing and back washing equipment is no longer reliable.

ACTION: The main motion was presented and carried unanimously by voice vote.

Article 54 was adopted unanimously on May 4, 2009.

Article 55 was adopted unanimously on May 4, 2009.

ARTICLE 56: APPROPRIATE FOR WATER DISTRIBUTION SYSTEM REHABILITATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,00,000 for water distribution system rehabilitation, to be spent under the direction of the Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C, that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or

security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project; or take any other action relative thereto.

Article Information: The annual Water System + Rehabilitation Program draws from the recommendations of the Water System Master Plan. This master plan recommends that pipes 85 years or older be considered for replacement or relining. This list of older pipes is evaluated and prioritized, and then cross-referenced with work proposed for other utilities, road repairs, or reconstruction. Unless circumstances require otherwise, projects for FY2010 include Chapel Street/May Street (construction), Pickering Street/Great Plain Avenue to the end (engineering, design and construction). Funding for this project has been allocated between cash and debt. The cash capital authorization is included under Article 55.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$1,000,000 for water distribution system habilitation, to be spent under the direction of the Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C, that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project.

A motion to amend was offered by Mrs. Denise C. Garlick by deleting the sum "\$1,000,000" and inserting in place thereof the sum "\$1,000,000".

Mrs. Garlick, Selectman, advised that this is a sound, long term investment in part of the town's infrastructure.

Mrs. Lisa Zappala, member, recommended adoption on behalf of the Finance Committee.

The motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

MOVED: That the Town vote to raise and/or transfer and appropriate the sum of \$1000,000 for water distribution system habilitation, to be spent under the direction of the Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L., Chapter 29C, that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L., Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project.

Article 57 was previously withdrawn on May 4, 2009.

Article 58 was previously withdrawn on May 4, 2009.

Article 59 was previously withdrawn on May 4, 2009.

ARTICLE 60: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

MOVED: Under Article 60 that the Town vote to establish a Town Meeting Review Committee to consist of seven members to be appointed by the Moderator to consider and make recommendations regarding the business, conduct and procedures of Town Meeting, including matters within the scope of the Report of the Town Meeting Study Committee to the 2009 Annual Town Meeting, and that the Committee Report its findings to the next Annual Town Meeting or sooner.

A motion to amend was offered by Michelle S. Ardini to insert the following words after "including matters within the scope of the Report of the Town Meeting Study Committee to the 2009 Annual Town Meeting": and research into the purchase of hand-held wireless voting devices for use by each Town Meeting Member at Town Meetings.

Mr. Daniel P. Matthews, Selectman, addressed his motion and recommended adoption.

Ms. Ardini addressed her motion to amend and acknowledged that these wireless voting devices would be a valuable resource. She suggested that this could be a mini feasibility study.

Mr. Paul F. Denver, Chairman, advised that the Town Meeting Study Committee is somewhat ambivalent to Mr. Matthew's motion, but it could bring forward some of the Committee's analysis.

Mr. Irwin Silverstein rose in opposition to this motion suggesting that it sounds like a motion to reconsider.

Mr. Ford H. Peckham concurred with Mr. Silverstein's opposition. He indicated that Town Meeting voted on this subject three times and that we have a year to review the report by the existing Town Meeting Study Committee.

Mrs. Deborah S. Winnick rose in support of the amendment.

A motion to move the previous question was offered by Mr. Richard W. Gatto. The motion was presented and carried by the required two-thirds vote on a voice vote.

Ms. Ardini's motion to amend was presented, but it failed to pass.

ACTION: The main motion was presented, but it failed to pass on a voice vote.

Under Article 60 Nina M. Silverstein offered the following resolution: That the Town Meeting Members vote to support the following resolution and communicate our support to our representatives in the Massachusetts Legislature.

WHEREAS: We, the Members of Town Meeting of the Town of Needham, Massachusetts, hereby **RESOLVE** and **SUPPORT** the Paid Sick Days Act" appearing as Senate Bill 688 and House Bill 1815 and presented to the Legislature for the Commonwealth of Massachusetts. We hereby **SUPPORT** the findings of the Legislature of the Commonwealth of Massachusetts and state as follows:

WHEREAS: Public health is jeopardized when workers most frequently in direct public contact [i.e. such as workers in food services, nursing homes, child care centers, and retail clerks] must attend work and cannot avail themselves to "paid sick days" resulting in the spread of contagious diseases such as the flu in the absences of a universally adopted paid sick day policy;

WHEREAS: Allowing parents to care for their children who become ill is good public policy which reduces recovery time for children, prevents more serious illness from developing, and promotes and improves overall mental and physical health. Parents who cannot afford to miss work must send children to childcare or school despite being sick with contagious or other serious maladies which contributes to a higher rate of infections in child care centers and schools.

WHEREAS: A "sick day" policy will benefit the elderly who receive care directly from working family members who will be able to tend to the care of elderly family members without fear of losing compensation or employment. Such a policy will also benefit domestic violence victims who will be able to remain employed without the fear or threat of losing their jobs for obtaining medical treatment resulting from the occurrence of domestic violence incidents.

WHEREAS: A policy that requires employers in the Commonwealth of Massachusetts to provide a minimum of seven (7) earned sick days per year is affordable for employers, good for business, and necessary for workers in order to allow them to obtain meaningful health care for themselves and their families.

WHEREFORE: We, the Members of Town Meeting of the Town of Needham, Massachusetts, state our **RESOLVE** and **SUPPORT** OF THE "Paid Sick Days Act" as presented to the Legislature for the Commonwealth of Massachusetts.

Mrs. Silverstein advised Town Meeting that this Resolution allows workers to earn up to seven paid sick days.

Mr. Paul A. Siegenthaler rose in opposition to this Resolution. He suggested that a sick day leave policy should not come before the Omnibus Article. He urged Town Meeting to vote this down because we don't have enough information. The Moderator stated that this is a non-binding resolution and is appropriate to come under the Omnibus Article.

Lois Sockol rose in support of this non-binding Resolution.

The following Town Meeting Members expressed concern with this Resolution: John E. Comando, Glenn S. Orenstein and Jane A. Howard.

Daniel P. Matthews, Chairman, advised that the Board of Selectmen reviewed this resolution and felt that it was not a simple matter. The Board of Selectmen recommended a vote against this resolution.

ACTION: Mrs. Silverstein's non-binding Resolution was presented, but it failed to pass by voice vote.

MOVED: Under Article 60 a motion was offered by Mr. Steven Rosenstock that Town Meeting vote to request that the Selectmen evaluate the Town's ongoing participation in the Community Preservation Act and to report back to this body, at our next meeting, their recommendation, by way of an Article in the Warrant, to continue, modify, or rescind our adoption of the Community Preservation Act.

Mr. Rosenstock advised that Town Meeting has appropriated approximately \$9 million for various CPA funds. All the items are very good, but if the Town continues with CPA, maybe they should consider placing these items in the Capital Plan. He suggested that we should know what's coming down the road and evaluate the Capital Plan.

Mr. Daniel P. Matthews, Chairman, advised that the Town has now completed a five-year participation plan. The Board of Selectmen is unanimous in recommending that this resolution not be adopted. We hope to convene a "summit" and feel that would be more productive.

Mr. Ronald W. Ruth urged Town Meeting not to vote in favor of this motion. He noted that 58% of the voters voted to accept the Community Preservation Act. It is a broad-based group.

Mr. Jeffrey D. Heller stated that there are compelling arguments for and against this resolution. He suggested that we have a warrant article on this subject at the next Town Meeting and Town Meeting Members can prepare for this in advance.

A motion to move the previous question was offered by Sheila G. Pransky. The motion was presented and carried by unanimous vote.

ACTION: The Resolution was presented, but it failed to pass on a voice vote.

MOVED: A Resolution under Article 60 was offered by Mr. Russell S. Broad that the Town vote to accept a local option meals tax.

Mr. Broad explained that Rhode Island revised the meal tax in 2003 with all revenue going back to cities and towns. He suggested that Needham could receive up to \$750,000 in new revenue for this added 1% meals tax and that Massachusetts now has the lowest meals tax rate in all of New England. He urged support of this new revenue source and noted that the Governor is

promoting this tax. The State and towns need revenue and a 1% increase would not hurt.

Mr. Daniel P. Matthews, Chairman, advised that the Board of Selectmen support an increase in which revenue goes to cities and towns. He asked Town Meeting Members not to support this motion until we are sure it will bring revenue to the town.

ACTION: The motion was presented, but it failed to pass by voice vote as declared by the Moderator.

The Moderator declared the Omnibus Article disposed of.

At this time the Moderator thanked Mr. Maurice P. Handel for slipping him a bow tie! He also thanked the following individuals and groups for their participation in Town Meeting: Sandy Cincotta, Assistant to the Town Manager, for working with the visuals; Custodian Doug Emily for setting up the auditorium; Steve Tedesco, for setting up and maintaining the audio system; Omar Dana and Michael Escalante for manning the microphones; the Town Clerk and staff for recording the minutes of Town Meeting and taking nightly attendance; and all Town Employees, T members and staff and the Department Managers sitting at the back of the auditorium. He thanked Scott Brightman who is retiring from the Finance Committee after serving for four and one half years. He will be sorry to see Scott go.

The Moderator stated that every Town Meeting takes on its own personality. This year you dwelled, pondered, and hit the gas when you wanted to. You control Town Meeting and I, as your Moderator, facilitate.

MOVED: The following Resolutions were offered by Mr. Daniel P. Matthews:

RESOLUTION

In Memory of David F. Eldridge, Jr.

WHEREAS: David F. Eldridge, Jr. grew up Needham, graduating from Needham High School and then enlisting in the United States Navy, where he served during World War II; and

WHEREAS: David Eldridge settled in his hometown with his wife, the late Margaret "Peggy" (McShea) Eldridge, where they raised their children Ann, David, and Robert; and

WHEREAS: David Eldridge served as a police officer in the Needham Police Department from 1963 until 1984. He later served the community working as a transportation coordinator for North Hill residents until he and his wife Peggy moved to Florida in 1996; and

WHEREAS: David Eldridge was an active member of St. Joseph's Parish, serving as an usher, and was a supporter of Needham Community Theatre; and

WHEREAS: David Eldridge was elected to the Park and Recreation Commission in 1975, serving until

1984. He was elected to the Board of Selectmen in 1985, serving until 1996. In this capacity he also served as a member of the Norfolk County Advisory Board; and

WHEREAS: David Eldridge was a Town Meeting Member from 1965 to 1972, representing Precinct G, and as a Town Meeting Member-at-Large from 1985 through 1996.

NOW THEREFORE, be it resolved by this body that the 2009 Annual Town Meeting be dissolved in honor of the many civic and community contributions of David F. Eldridge, Jr. to the Town of Needham.

RESOLUTION

In Memory of Arthur M. Tiernan, Jr.

WHEREAS: Arthur M. Tiernan Jr. was born and raised in Boston. He graduated from Lawrence Academy in Groton, and attended Colby College before enlisting in the military. Mr. Tiernan served a year in the U.S. Coast Guard before enlisting in the U.S. Army, where he was stationed in Germany; and

WHEREAS: Arthur Tiernan settled in Needham with his wife Grace (Gibson) where they raised their six daughters: Terry, Peg, Jean, Grace, Ann, and Trudy; and

WHEREAS: Arthur Tiernan attended the present day New England College of Law, taking classes while working at Employers Liability Insurance as a claims adjuster. He worked in private practice for several years before joining the Norfolk County District Attorney's Office, serving as a special assistant to the district attorney and then as an assistant district attorney. He later served as an assistant district attorney in Suffolk County, where he was in charge of the violent crimes unit in the Suffolk Superior Court; and

WHEREAS: Mr. Tiernan was a member of the Needham Democratic Town Committee and the Democratic State Committee, and served as a member of the electoral college that elected President Jimmy Carter; and

WHEREAS: Arthur Tiernan was elected and served as a Memorial Park Trustee from 1979 to 1996, and served as Town Meeting Member from 1970 to 1996.

NOW THEREFORE, be it resolved by this body that the 2009 Annual Town Meeting be dissolved in honor of the many civic and community contributions of Arthur M. Tiernan, Jr. to the Town of Needham.

ACTION: At 12:02 A.M. on Tuesday, May 19, 2009, the Resolutions were presented and carried unanimously by voice vote.

Theodora K. Eaton, MMC
Town Clerk

A true copy
ATTEST:

A.M. Sulkin Co.
80 Cambridge Street
Charlestown, MA 02129
617-242-5959
Reorder # 17935

